

# The New York Times

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LATE CITY EDITION

Weather: Sunny, milder today; cool tonight. Sunny and mild tomorrow. Temperature range: today 45-68; Wednesday 41-61. Details, page 78.

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NEW YORK, THURSDAY, APRIL 29, 1978

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## CAREY SAYS PACT TRANSIT WAGE JUST BE REVISED

### Mayor Acts on Legal Opinion Lefkowitz Calling Contract Illegal Because of Raises

By LEE DEMBART  
The agreement will now have to go back to bargaining," Mr. Carey said yesterday. "My hope and expectation is that they will rewrite the agreement that it conforms to law."  
Every delay in approving the contract brings closer the July 1 deadline that the union was granted for receiving the first cost-of-living payment. Under the agreement, if the money is not paid on time, the union can tear up the contract and call a strike, just before the Democratic National Convention opens here.  
In addition, most city workers' contracts expire on July 1, and if the Lefkowitz decision is extended to them and they are denied cost-of-living raises, they could walk out then, too.  
Mr. Carey was hopeful yesterday that the transit union would not have to go back to Square 1 in working out a new agreement. "This does not have to become a full-scale renegotiation," he said, indicating that deferring the cost-of-living raise was one possibility, though not the only one.  
"There are many ways of resolving this problem, and I don't want to foreclose any of them," the Governor said. "That will be up to the M.T.A. and the union."  
Earlier, Matthew Guinan, president of the union, took a wait-and-see attitude, mainly because of the possibility of a strike.



Senator Hubert H. Humphrey, Minnesota Democrat, chatting with Senator Clifford P. Case, Republican of New Jersey, in a Senate Office Building corridor yesterday.

## Humphrey May Attempt to Stop Carter, But Few in Party Think He Can Succeed

By R.W. APPLE JR.  
Special to The New York Times  
WASHINGTON, April 28 — Senator Hubert H. Humphrey of Minnesota appeared poised tonight to undertake a limited effort to halt Jimmy Carter short of the Democratic Presidential nomination, but there were few in the party who gave their long-time hero much chance of success.  
Senator Henry M. Jackson of Washington and Representative Morris K. Udall of Arizona, in the view of most Democratic leaders, were reduced by their multiple defeats to the role of spoilers. That left Mr. Carter without major active opposition as he headed into five primaries in six days.  
Speaking on national television on the morning after the former Georgia Governor's smashing victory in the Pennsylvania primary, Mr. Humphrey said he "might want to give consideration" to forming a committee to seek the support of uncommitted delegates, pending his decision on whether to enter the campaign actively after the last primaries June 8.  
Later, reportedly still clinging to his resolve not to enter the New Jersey primary, for which the deadline is tomorrow, Mr. Humphrey met with Robert E. Short, a Minneapolis trucking executive.



Carrying suits and suitcase, Jimmy Carter leaves hotel in Philadelphia after commenting on Tuesday's victory.

## INTELLIGENCE PANEL FINDS F.B.I. AND OTHER AGENCIES VIOLATED CITIZENS' RIGHTS

### Findings of Senate Panel I.R.S. CURBS URGED

Culpability—Government officials at all levels knowingly took part in illegal activities in a decades-long campaign to which Presidents, Cabinet members and members of Congress "clearly contributed." Presidents from Franklin D. Roosevelt onward, and their aides, have requested or accepted from the F.B.I. politically useful information about opponents and critics.  
Scope—The F.B.I., C.I.A., I.R.S., Army Intelligence and other agencies created files on more than half a million United States citizens, opened nearly 250,000 pieces of first-class mail, monitored millions of telegrams and overseas telephone calls, listed 26,000 citizens for detention in a national emergency and subjected many private citizens to secret harassment and programs designed to disrupt their lives and destroy their reputations.  
Targets—Groups and individuals subjected to the secret intelligence gathering programs were from all parts of the political and social spectrum. At times the intelligence network focused on the National Association for the Advancement of Colored People, the Ku Klux Klan, anti-Vietnam war groups, the John Birch Society and the feminist movement. Individual targets included the Rev. Dr. Martin Luther King Jr., Maj. Gen. Edwin Walker, congressmen, senators and, at one point, the mail of former President Richard M. Nixon.  
Reforms—The committee proposed sharply restricting investigative activities of the Internal Revenue Service and military intelligence. It urged a ban on wiretaps, mail openings and unauthorized entries by the Central Intelligence Agency. All domestic noncriminal intelligence work would be vested in the F.B.I. and monitored by Congress.

### I.R.S. CURBS URGED

### Major Reform of All Surveillance at Home Proposed

By JOHN M. CREWDSON  
Special to The New York Times  
WASHINGTON, April 28 — Domestic intelligence agencies, principally the Federal Bureau of Investigation, consciously and repeatedly violated the laws and the Constitution in investigating the political activities of hundreds of thousands of American citizens, many of them law-abiding, the Senate Select Committee on Intelligence declared today.  
In a sharply worded report summarizing its 15-month examination of government spying in this country, the committee rebuked the F.B.I. and other agencies for investigating far too many people, often for the wrong reasons or none at all; for employing as a matter of course such "illegal" and "questionable" techniques as burglary, mail opening, electronic surveillance and the use of informants, and for having acted largely without the scrutiny or knowledge of Presidents and Attorneys General.  
Church Headed Panel  
The 11-member panel, headed by Senator Frank Church, Democrat of Idaho, concluded that a "fundamental reform" of the domestic intelligence community was urgently needed. It proposed that all noncriminal investigations be concentrated in the F.B.I., where they could be closely monitored by Congress and carried out under stringent new safeguards that would protect civil liberties.  
Specifically, the committee recommended that the Internal Revenue Service be restricted to dealing with tax matters, that military security services sharply reduce and restrict their domestic investigations, except generally as they touch military personnel, installations and contractors, and that the Central Intelligence Agency be banned from using electronic surveillance, unauthorized entries or mail openings in this country.  
The C.I.A. operations had been exposed and criticized in an earlier report by a governmental commission headed by Vice President Rockefeller.  
For Court Approval  
More broadly, the recommendations proposed that no Federal intelligence agency be permitted to undertake any activity not explicitly authorized by law, and that court approval be required in advance for the use of such techniques as wiretapping, the opening of first-class mail and unauthorized break-ins by Federal agents.  
Although it put forward 96 detailed recommendations and called for new laws to curb excesses, the committee has not submitted any legislative bills itself. But its report is expected to serve as the basis for action by other Congressional committees.

## REID IS QUITTING STATE POST Chief of Environment

By RICHARD SEVERO  
The man who has been State Commissioner of Environmental Conservation since 1974 has decided to quit and probably will announce his resignation in the next few days.  
Mr. Reid spent his home in Purchase, N.Y., and he had already filed his resignation with the State Department.  
Mr. Reid is tentatively expected to leave his post in New York City in the next few days.  
It is reported to be that Mr. Reid's resignation is expected to be announced in the next few days.  
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## GENERAL MOTORS SHOWS BIG PROFIT

Earnings of \$800 Million in First Quarter Underline Business Comeback  
By AGIS SALPUKAS  
Special to The New York Times  
DETROIT, April 28 — The General Motors Corporation, recovering from the depressed earnings of a year ago when the auto industry was in a severe slump, reported a sharp rise in first-quarter earnings yesterday to \$800 million, or \$2.78 a share.  
The G.M. report dramatizes the comeback from the recession of not only the auto industry but also business in general. Net income of the world's largest automaker was only slightly below the record first-quarter total of \$817 million in 1973. In last year's first quarter, G.M. earned \$58 million, or 20 cents a share.  
Thomas A. Murphy, chairman of G.M., and Elliott M. Estes, president, said that a brisk recovery of the auto industry was being sparked by a "sharp upturn in consumer confidence, rising employment and continued gain in real personal income."  
G.M. reported that sales of cars and trucks for the first quarter totaled 2,121,000 units, up 54 percent over the first quarter of 1975, when sales totaled 1,378,000 units.  
The executives said that an increase in sales of cars and trucks for the first quarter of 1978, when sales totaled 1,378,000 units.

## Soviet Is Purchasing \$400 Million Worth Of American Grains

By WILLIAM ROBBINS  
Special to The New York Times  
WASHINGTON, April 28 — The Soviet Union, in a long-awaited re-entry into the United States market, has bought 3.1 million tons, or 122 million bushels, of corn and 300,000 tons, or 11 million bushels, of wheat, the Department of Agriculture announced today.  
The sales were made in three separate deals by the largest American grain trading houses, Cargill, the Continental Grain Company and Cook Industries.  
No dollar value was announced for the agreements, but on the basis of current prices for contracts in commodity markets, the deals would be worth a total of more than \$400 million.  
Today's sales follow the Soviet purchase of two million tons of wheat just yesterday from Canada and one million from Australia, and a high United States Agriculture Department official said today that still more sales were considered likely.  
"Discussions are still going on, and I expect further sales," said Richard E. Bell, Assistant Secretary of Agriculture.  
The Agriculture Department has long expected and hoped for such deals because of large expected carryovers of both wheat and corn and recent price declines, which have disturbed farmers.  
Department officials here stressed that the new sales would be worth a total of more than \$400 million.

## N.A.A.C.P. CHECKED 25 YEARS BY F.B.I.

No Illegal Activities Found  
—Women's Movement Also Monitored by Bureau  
By NICHOLAS M. HORROCK  
Special to The New York Times  
WASHINGTON, April 28 — The Federal Bureau of Investigation spent 25 years monitoring the "wholly lawful political activity" of the National Association for the Advancement of Colored People on the ground that it was conducting a search for Communist infiltration, the Senate Select Committee on Intelligence disclosed today.  
The committee also said that the bureau had infiltrated the feminist movement and made targets of such groups as the Christian Front and the conservative American Christian Action Council, led by the Rev. Carl D. McIntire.  
Army domestic intelligence operations opened files on numerous groups seeking peaceful change, including the John Birch Society, the Young Americans for Freedom, the National Organization of Women, the National Urban League, the Anti-Defamation League of B'nai B'rith, Business Executives to End the War in Vietnam and the N.A.A.C.P.  
In its 341-page report on domestic intelligence activities, the Senate committee cited these as demonstrations that "large numbers of law-abiding Americans and lawful domestic groups were subjected to surveillance by Federal agents."

## Sanitation Dept. to Test Fit-Motivation System

By FRANCIS X. CLINES  
The administration is expected to establish a profit-motivation system for city employees in two existing departments as part of an effort to improve the city's sanitation department.  
The plan, which is being tested in the sanitation department, is expected to be implemented in other city departments in the next few months.  
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## Contrast in Appeal Shown By Carter and Humphrey

By ROBERT REINHOLD  
Jimmy Carter and Hubert H. Humphrey, to whom the Democratic Presidential race has apparently narrowed, have never confronted each other in a primary election. But if they had, New York Times/CBS News polls indicate, they would have attracted voters from two very different groups within the party's rank and file.  
The Carter backers are likely to be younger than the Humphrey people, more middle class, have somewhat higher incomes, come from small towns and rural areas, and are slightly conservative on many issues, particularly concerning the size and role of government. In short, they make up the sizable but less-loyal fringes of the party, those likely to desert to the Republicans in November if unhappy with the Democratic choice.  
The Humphrey supporters are more likely to be older than the Carter people, to come from blue-collar, lower-income and union backgrounds, to live in large cities and hold somewhat more liberal views on issues, especially key economic ones like Federal job guarantees. They are, in sum, old Roosevelt Democrats.  
And the problem for those who would stop Mr. Carter, the former Georgia Governor whose almost evangelical campaign has propelled him to one of the most spectacular political ascents in recent history, is that there appears to be no one left, formally in the race, who can rally the substantial

## Indian Court Upholds Political Jailings

By WILLIAM BORDERS  
Special to The New York Times  
NEW DELHI, April 28 — The Supreme Court of India today upheld the right of Prime Minister Indira Gandhi's Government to imprison political opponents without court hearings.  
The long-awaited ruling, which followed two months of comprehensive oral arguments, was a milestone in the dismantling of India's democratic institutions, which began with the declaration last June of a state of emergency.  
To Prime Minister Gandhi's opponents, especially the thousands who have been jailed over the last 10 months, it came as a major defeat.  
"It's the final blow," a dispirited opposition lawyer said this morning on the pink and yellow sandstone steps of the Supreme Court building. "This case was our last hope, and now that hope is gone."  
In its 4-to-1 ruling, the court held that the traditional right of habeas corpus, which guarantees a prisoner a court hearing as a safeguard against illegal arrest, was suspended in India for the duration of the state of emergency. Under the Constitution, the state of emergency can last as long as the Government wishes.  
"Liberty is confined and controlled by law," Chief Justice A. N. Ray declared, outlining the basic argument of the majority. "It is not an absolute freedom. If extraordinary powers are given [to the Government] they are given because the emergency is extraordinary."  
An outspoken dissenting opinion by Justice H. R. Khanna, who quoted from Plato, Magna Carta and the American Declaration of Independence, and recalled that "in a purely formal sense, even the most organized mass murders of the Nazi regime qualify as law."  
As 14 ceiling fans whirred overhead and the young lawyers who had crowded into the dim courtroom leaned forward to hear, Justice Khanna continued, reading from his opinion:  
"The power of the courts to issue a writ of habeas corpus is regarded as one of the most important characteristics of democratic states under the rule of law. The principle that no one shall be deprived of his life or liberty without the authority of law is rooted in the con-

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الجمهورية الجزائرية

### 4 Black Cabinet Ministers Take the Oath in Rhodesia



Ian D. Smith of Rhodesia talking in Salisbury yesterday with tribal chiefs he appointed to his Cabinet. On left, they are: T. C. Mangwende, Zefania Charumbira, J. S. Chirau and Kayisa Ndiweni.

SALISBURY, Rhodesia, April 28 (Reuters)—Four tribal chiefs took oath of office today as the first black members of the Rhodesian Cabinet.

The appointments by Prime Minister Ian D. Smith have been denounced by black nationalists as meaningless.

Three black deputy ministers were also named and three more will be appointed later. Their specific posts were not announced. But all 10 appointees will have responsibility in African affairs, including education and agriculture.

They are conservatives opposed to the growing guerrilla war being waged from bases in Mozambique.

The four chiefs, sworn in by President John Wrathall at Government House, seemed unsure of what their jobs would be. Mr. Smith was overheard assuring them that they would be told their duties in due course and apologizing for the haste with which the swearing-

in ceremony had been arranged.

The nationalists, who demand immediate black majority rule in this breakaway British colony, called the move an empty gesture when Mr. Smith unveiled his plan in a broadcast last night.

The most senior of the four chiefs is Jeremiah Chirau, 52 years old, who is president of the Council of Chiefs.

Uncertain of Their Duties He and Chief Tafirenyika Mangwende will deal with affairs of Rhodesia's majority tribe, the Mashona. Chiefs Kayisa Ndiweni and Zefania Charumbira will look after the other big tribe, the Matabele.

All four are already members of the Senate and receive government stipends and allowances. A government statement said that as Cabinet ministers, they would "enjoy equal status

with their European colleagues," but observers doubt whether they will sit on all Cabinet sessions.

Chief Chirau, speaking in the Shona language on Rhodesian television tonight, said: "We thank the Government for the faith they have placed in us by these appointments.

"It is an important step forward.

"The African people have now come of age by accepting their share of government, which has been given to them. The position of the chiefs as the true representatives of the people has now been recognized."

The three deputy ministers

#### U.S. Is Dubious

WASHINGTON, April 28 (UPI)—The United States does not believe that Prime Minister Ian D. Smith's formula for bringing blacks into his Government meets its conception of representative government for Rhodesia, a State Department spokesman said today.

The spokesman, Frederick Z. Brown, said that it would be "most surprising if Smith's action were accepted as a step forward by any representative of the Rhodesian majority." "Most certainly it would not meet our conception of what representative government means," Mr. Brown said.

### The Tribal Chiefs on Smith's Team

**Jeremiah Chirau**  
Chief Jeremiah Chirau, 52, president of the Council of Chiefs, has three wives and 10 children and holds the Rhodesian Independence Commemorative Decoration and the 1939-45 war medal.

**Tafirenyika Mangwende**  
Chief Tafirenyika Mangwende, 41, married with four children, was a teacher for 12 years. He was the center of a controversy when he was appointed chief in 1969. His predecessor was elected by the tribe in the traditional way but was deposed by the Government of Prime Minister Ian D. Smith, partly because he was an ardent African nationalist.

**Kayisa Ndiweni**  
Chief Kayisa Ndiweni, 59, married with four sons and seven daughters, has the most political experience of the four Cabinet appointees. He was a member of the Southern Rhodesia delegation at talks in London in 1960 on the now-defunct Federation of Rhodesia and Nyasaland and the following year was a member of the constitutional council.

**Zefania Charumbira**  
Chief Zefania Charumbira, who was elected to the Senate, reached his current tribal status last year.

### er Offers U.S. Help in Rhodesia Negotiations

re, April 28 (Reuters)—The United States offered the United States to assist the results of the talks in Salisbury, Rhodesia, and to assist the results of the talks in Salisbury, Rhodesia, and to assist the results of the talks in Salisbury, Rhodesia.

Mr. Kissinger also voiced regret that "certain foreign countries" had applied pressure on Ghana to cancel his visit there, which was to have begun tomorrow. The Secretary of State is staying in Zaire an extra 24 hours as a result.

He did not name the countries, but United States officials

have identified them as the Soviet Union and Nigeria, which earlier canceled a planned Kissinger visit to Lagos.

Ghana, which was added to the list to replace Nigeria, informed the United States yesterday that its head of state, Col. Ignatius Kutu Acheampong, was ill. United States officials discount that reason.

In response to a question, Mr. Kissinger said the United States had not complained to Ghana, Nigeria or the Soviet Union over the cancellation, saying the decision was up to Ghana.

In answer to another question, he said he did not think it was in the power of the Soviet Union to sabotage his two-week African tour.

**Ghana Denies Pressure**  
ACCRA, Ghana, April 28 (Reuters)—Ghana today denied that its cancellation of a visit

here by Secretary of State Kissinger resulted, partly from foreign influence, especially from the Soviet Union.

The Ghana News Agency quoted an official statement saying unforeseen circumstances had made Mr. Kissinger's visit inappropriate.

"Speculation that foreign influence had been brought to bear on the Government to cancel this visit is wholly unfounded," the statement said.

### World Complains of Lag in Trade Talks

MANCHESTER, England (UPI)—Third-world dissatisfaction over the pace of trade talks is growing, according to a report by the chairman, Manuel Pérez Guerrero of Venezuela, on the eve of the fourth United Nations Conference on Trade and Development, which opens next week in Nairobi, Kenya.

The Paris dialogue, formally known as the Conference on International Economic Cooperation, was organized after much procedural wrangling last year and went into its first sessions in January.

Initially progress was reported on procedural questions in commissions set up to concentrate on development aid, raw materials, energy and finance.

But as the talks entered such substantive areas as price-support proposals for third-world export commodities, the atmosphere degenerated.

Conference sources said some third-world delegations had become so angered by the lack of progress that they threatened to stage a walkout.

"If we continue at the present pace, we will get nowhere," Mr. Pérez Guerrero told reporters. But he insisted that third-world countries did not foresee any walkout. The dialogue has been organized to run through to the end of the year.

On the other side of the table are 16 industrial countries, including the nine in Western Europe's Common Market.

Stephen W. Bosworth, chief of the American delegation, said that as far as the United States was concerned, "the pace and progress were going along quite well."

He said the dialogue was still in its first phase of "seeking a common analysis of the problems."

Hironouchi Miyazaki of Japan spoke of "varying degrees of dissatisfaction" but added that this was "a natural thing" because "one cannot oversimplify."

Today's statement was a reaction of developing countries to what they considered to be an inadequate response from the industrial nations to proposals for an integrated system of buffer stocks and price-regulating mechanisms for 18 commodities.

The commodities, including cocoa, coffee, tea, sugar, fibers, jute, cotton, rubber, copper and tin, represent three quarters of the export trade of the third world.

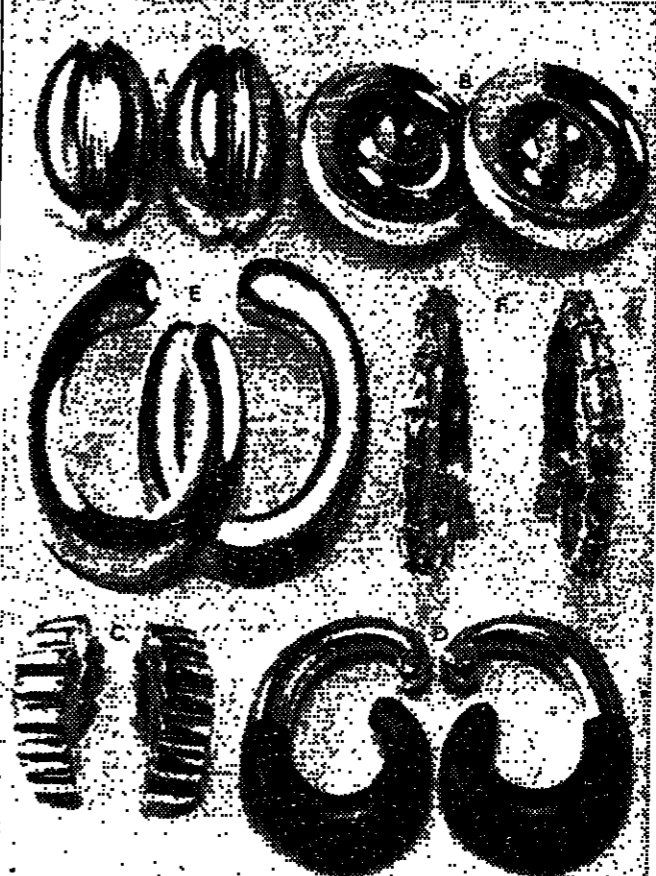
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## Soviet Asian City Overcomes Environmental Perils

By CHRISTOPHER S. WREN  
Special to The New York Times

ALMA-ATA, U.S.S.R.—The snow-covered peaks of the Tien Shan rise abruptly south of this capital of Kazakhstan, offering a stunning view from almost every street.

In the foothills, stately clusters of Tien Shan spruce give way to the knobby apple trees from which Alma-Ata derives its name, "Alma" being the Kazakh word for "apple." North of the city, the land flattens into the vast steppes of Central Asia, creating a locality of contrasts akin to that of Denver.

A deceptive natural beauty graces Alma-Ata, for the same geography has also threatened the city's existence. The relatively young Tien Shan is prone to earthquakes. And the waters tumbling down from the mountain glaciers in summer have triggered gigantic mudslides that have descended occasionally with disastrous consequences.

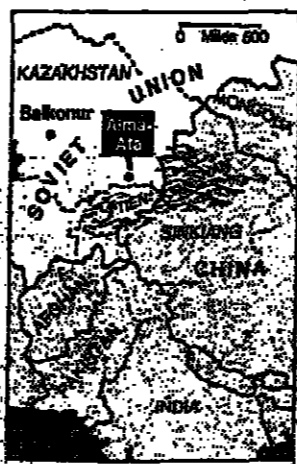
The city's population, now grown to 800,000, has learned to cope with the unstable environment. A set of controversial explosions a decade ago threw up a mighty protective dam that is still being doggedly improved. And earthquake-proof construction innovations are giving Alma-Ata a high-rise look that was once considered foolhardy.

Buildings of 12 stories "The most important problem is our seismic zone," explained the city's architect, Adambek K. Kapanov. The last quake, a moderate one, was experienced a little more than a year ago. But earthquakes in 1887 and 1911 leveled much of the city, and even three decades ago, only single-story wood houses were put up.

Now the average height of new buildings is five stories, with a few built to 12 stories. This is done in part by securing the buildings on reinforced concrete pilings, adding iron gridwork up to window level and using lightweight prefabricated wall panels.

Perhaps the boldest venture is a 25-story hotel now being constructed to withstand a severe earthquake of 8 points on a 12-point scale. A single monolithic core sustains the building, which is built in an oval configuration using sliding form construction for added strength.

"Of course, it takes longer and is more expensive to build like this," said the Kazakh architect. He estimated that costs ran 10 to 15 percent higher than for normal construction.



The New York Times/April 29, 1976

people. A more recent mud avalanche in 1963 emptied Lake Issyk, a popular nearby vacation site.

"We lived in constant fear," explained one longtime resident. "There was a panic factor, because there were children's summer camps in the mountains, and people were afraid there would not be time to evacuate them."

In 1966, engineers set off 5,200 tons of dynamite to blast a mountainside into the Medeo gorge of the Little Almatinka River, a usual channel for the avalanches. The explosion had been strongly opposed by some residents, including 14 prominent scientists, who feared that it could cause an earthquake.

"Nobody wanted to take responsibility," recalled one engineer familiar with the project. "If someone signed the paper and something went wrong, he would be held responsible."

The matter was taken to Moscow for a decision

by Mstislav V. Keldysh, then President of the Soviet Academy of Sciences.

The explosion did in fact produce some tremors.

"It was a difficult decision but it was still correct," said Mr. Kapanov. A subsequent explosion sheared off a mountain on the opposite side of the gorge.

The critical test of the 330-foot-high dam came in 1973, when an estimated 6 million cubic yards of mud spilled into the gorge, ripping up avalanche barriers before it was halted by the dam. "If we hadn't had the dam, it would have swept the city away," insisted a local taxi driver. Mr. Kapanov supposed soberly that "half the city would have been destroyed."

The earthen dam has since been raised to 460 feet and work continues. A recent visit found crews blasting out the holding basin in preparation for summer. A helicopter-borne service also patrols for danger signs.



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### PALME DENOUNCES SWEDISH RIGHTISTS

STOCKHOLM, April 28 (AP)—Prime Minister Olof Palme, a Social Democrat, charged today that "rightist forces are trying to create a rightist reactionary climate" in Sweden by making issues of cases like that of Ingmar Bergman, the film director involved in a tax dispute.

Mr. Palme told interviewers he was sure Mr. Bergman, his "good friend," had not intended a slap at the Social Democrats when the director left Sweden in fury over what he protested was harassment by tax officials.

The Prime Minister deplored Mr. Bergman's departure but said, "Knowing him, one can understand that he subjectively reacts this way."

"I am sure that he will be justly treated in the end and hope he will return to Sweden," Mr. Palme said. But he added, "I am not going to try to persuade him to return."

Mr. Bergman was accused of irregularities concerning his recently sold Swedish film company, Cinematograph, and a Swiss company that was dissolved in 1974.

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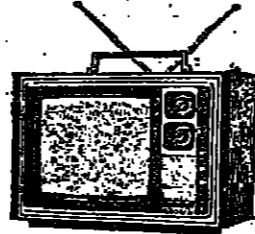
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Cool and hot.  
Sweet with a beat.  
These exciting slices of summer should  
remind you of dancing under the stars.  
In the tropics. Especially of drums:  
you know how you feel them  
down to your finger-tips?

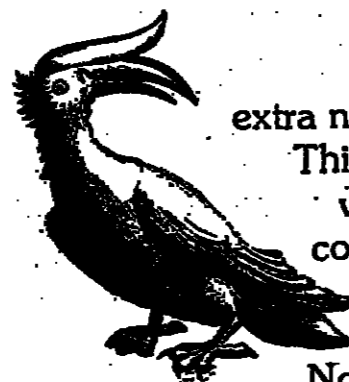
And you're on target when  
you think tropical today. Because our  
dark little strokes of drama have  
a deep, hot history. They're copies  
of old prints from the island of  
**Java** in the Far East. (Not far,  
in fact, from The Philippines,  
where we photographed our  
current fashion magazine.)

Picture them now,  
decorating you, while  
**you sway** through  
your own tropical summer.  
And you won't have to  
travel to the Far East  
to find it. Remember, the  
fahrenheit flew to 96 last week.

But there's more news here than  
**primitive**, bright-on-black prints.

Their creators, a California  
company called **Vandor Ltd.**,  
made sure there's pure  
fashion in every line.

The shirred,  
off-your-shoulders  
neckline in our big sketch  
is important. So is the flounced,  
mid-calf skirt. This one's deep red  
flowers printed on **black cotton**.  
S.m. and l: at 54.00.



And, of course,  
the tunic-dress, looking  
extra new with tied shoulder straps.  
This has a separate skirt which  
will do double duty. Bird-print  
cotton in marigold, black and red.  
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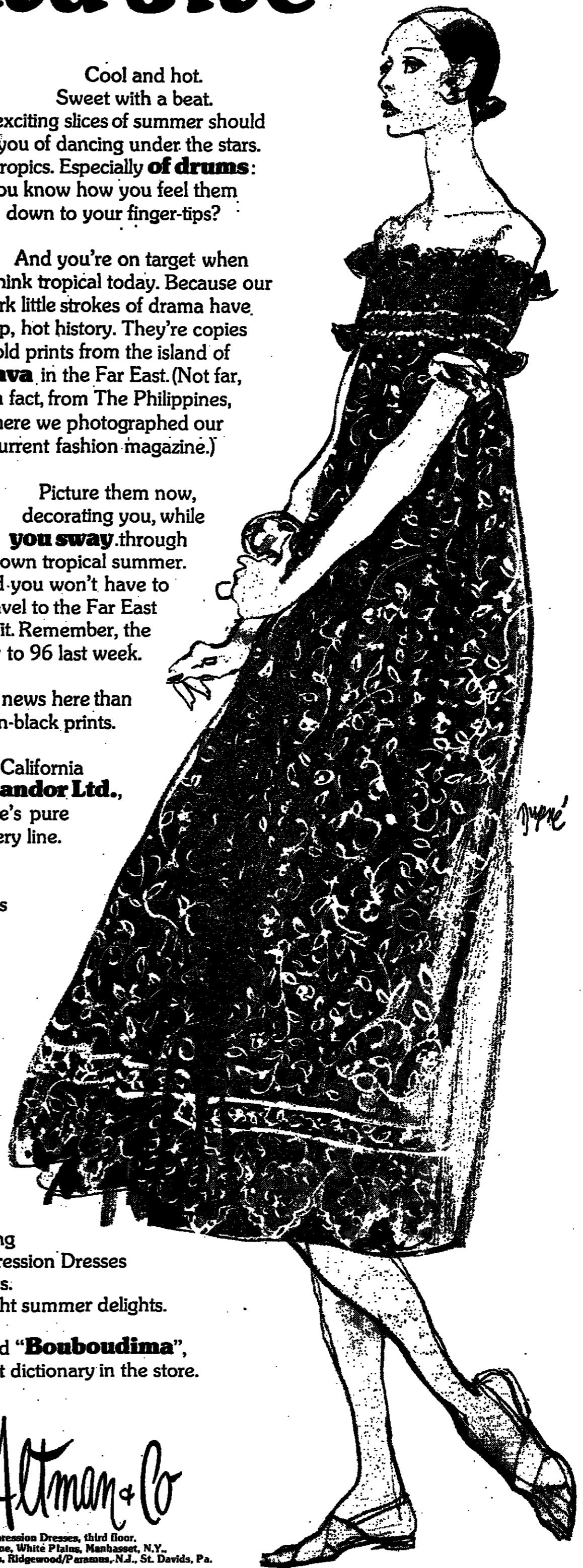
Now, nobody said you had to go dancing  
in these beauties. Our buyer of Young Expression Dresses  
on three calls them sun-dresses.

**Conclusion:** they're all-day-all-night summer delights.

By the way, these prints are named "**Bouboudima**",  
a word we can't find in the fattest dictionary in the store.  
Another conclusion:  
some smart Californian  
dreamed it up.

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## U.S. WARNS AT U.N. ON ZIONISM ISSUE

Scranton Affirms Opposition  
to Resolution of Last Fall

By PAUL HOFMANN  
Special to The New York Times  
UNITED NATIONS, N. Y., April 28 — The United States reaffirmed today that it "will never accept" an equation of Zionism with racism.

"Zionism is not racism," said the chief American delegate, William W. Scranton, addressing the Economic and Social Council during a debate on the current United Nations Decade for Action to Combat Racism and Racial Discrimination, 1973-83.

Zionism, Mr. Scranton contended, "is a justifiable and understandable manifestation of national feeling on the part of a people entitled to a homeland, whose claim to a homeland was recognized by the United Nations almost 30 years ago."

The United States delegate spoke as radical Arab and Communist countries were pressing to link the United Nations project, primarily meant to fight the system of separation of races in South Africa and Rhodesia, to an anti-Zionism resolution adopted last fall by the General Assembly by a 72-to-35 vote, with 32 abstentions.

The resolution condemned Zionism as "a form of racism and racial discrimination." The United States declared then that it would never recognize the resolution.

Today, Mr. Scranton called the anti-Zionism resolution "unwise, unjust and completely unacceptable."

### 'A View Strongly Held'

He told the 54-country Council that the rejection of the text was not the policy of a particular Administration at a particular moment, but "a view strongly held throughout the Congress, the executive branch and the nation."

Mr. Scranton affirmed that the United States felt so strongly about the anti-Zionism resolution that it had decided it could no longer participate in the United Nations program against racism and could not attend a planned apartheid conference in Ghana in 1976 unless all references to the resolution were dropped.

During the racism debate in the Council, which opened last week, Arab and Communist speakers brought up the Zionism issue in connection with what they said was increased collaboration between Israel and South Africa.

Jordan's chief delegate, Sherif A. Hamid Sharaf, who spoke after Mr. Scranton, said that the anti-Zionism resolution was "a step in the right direction morally and politically. He spoke of an "inseparable link" between the aspirations of the black majorities in South Africa and Rhodesia and those of the Palestinians.

## Lebanese Banker Backed by Syrians Seeks Presidency

By JAMES M. MARKHAM  
Special to The New York Times  
BEIRUT, Lebanon, April 28 — With the Lebanese Parliament scheduled to choose a new President in three days a banker who has the backing of Syria and a major right-wing faction here announced his candidacy today.

The announcement, by Elias Sarkis, the head of the Central Bank, came during a day of scattered shelling and sniper fire and after a night filled with gunfire. The violence, despite the latest cease-fire, raised doubts whether the members of Parliament would assemble on Saturday to choose a successor to President Suleiman Franjeh.

Tonight, the left-of-center alliance headed by Kamal Jumblat, the Moslem Druse chief-tain and leader of the Progressive Socialist Party, demanded that the special session be postponed to lift what it called "foreign pressures" on the election. The language of the statement left little doubt that Mr. Jumblat and his allies were referring to Syria.

The statement asserted that the leftists would do their "utmost to prevent the arrival of a new president" who, it contended, would continue what it called a "conspiracy against the Lebanese leftists and their Palestinian allies."

Mr. Sarkis is a 51-year-old lawyer who served as the right-hand man of the late President Fuad Chehab after the 1958 election and lost to Mr. Franjeh in the 1970 election by one vote.

He said at a news conference that a "new Lebanon" should emerge after the year-long civil war between Christians and Moslems and leftists and rightists.

Mr. Sarkis went out of his way to praise "fraternal Syria" which he said, hoped to "restore security and stability to the country."

The principal rival of Mr. Sarkis is Raymond Edeh, an outspoken 63-year-old political leader who has the support of a number of Moslem Deputies and the backing of the Palestine Liberation Organization. Both men are Maronite Catholics, the religious community that by tradition holds the presidency.

Pierre Gemayel, head of the right-wing Christian Phalangist Party, announced his party's support for Mr. Sarkis.

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### ASKS ANEW EAST TALK

#### Resumption of Geneva Talks in 2 Stages Palestinians

**The New York Times**  
April 28—The Soviet Union sounded a new note in the resumption of the East-West conference by proposing that it be held in two stages. In a statement, the Soviet Union said that "all the questions that could be resolved in the first stage before the second stage began searching for settlement in the second stage."

The Soviet Union said it would follow a similar pattern in the past when Moscow had convened a summit conference.

The Soviet government continued on Palestinian talks in both sessions, it has been unaccustomed to the United States. In Washington, a preliminary meeting of the Soviet Union and the United States, which met in December 1973, was convened since the Soviet Union's press agency said it would give "direct voice in the Middle East" to the Soviet Union. The Soviet Union has yielded to the United States. The Soviet Union's successful diplomat, a disengagement of Egyptian and Egyptian forces from the Sinai Peninsula, was a time of influence in the region as the Soviet Union's split with the United States.

**Is Assailed**  
The Soviet Union's criticism of the United States' shuttle diplomacy and the United States' separate peace talks in the Middle East.

The Soviet Union's separate peace talks in the Middle East, it says that these talks are "despite the fact that the United States has only failed to bring about a settlement, but it has not led it."

The Soviet Union's broader message, Moscow said, "Lebanon," but it is in suggestion of violence in the Middle East.

The Soviet Union's language on the Middle East was directed at the United States.

The Soviet Union is sending modern arms, incapable of conventional and nuclear war, the state-arms race in the Middle East. In this respect, the Soviet Union is creating a new arms race in the Middle East. It is difficult to see the danger to the Soviet Union, repeating the Soviet Union's withdrawal from the Middle East, the right to their own national security and in all states in the Middle East.

to 9:30

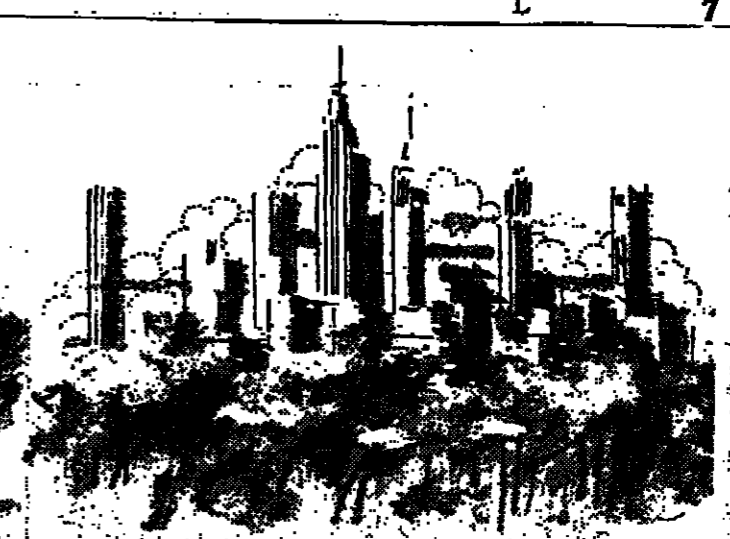
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# INDIAN HIGH COURT UPHOLDS JAILINGS

Continued From Page 1, Col. 7

ation that life and liberty are priceless possessions."

The case had come to the five-judge Supreme Court Panel on Appeals from a half-dozen lower courts around India. The lower court judge in each case had ruled that the right of habeas corpus could not be suspended, even in an emergency. The Government appealed.

In all, the cases involved 43 prisoners, including four Members of Parliament, who were seeking court hearings.

Lawyers said that if the ruling had gone against the Government, hundreds and perhaps thousands of other petitions would have been filed to challenge imprisonment orders. But they said that the verdict in favor of the Government's stand was likely to block any further legal challenge at least for the present.

### Question of Human Rights

At the heart of the case was the question of whether the sweeping emergency powers granted by the Indian Constitution to the Government superseded fundamental human rights. The Government argued that they did.

"A citizen is barred from agitating for any right during the emergency," Attorney General Niren De maintained during the arguments last winter. "There is no personal rights law for the time being."

Under the Constitution, a section roughly similar to the American Bill of Rights is suspended when the President invokes the emergency provisions, as he did last June 26, in the face of what the Government said was a widespread internal conspiracy.

But the lawyers for the prisoners had argued that some rights, like the right to personal liberty, could not be suspended by another section of the Constitution since they had not been granted by the Constitution in the first place.

"Sanctity of life and liberty was not something new when the Constitution was drafted," Justice Khanna declared today, accepting this argument in his minority view. "The principle that no one shall be deprived of his liberty without the authority of law was not the gift of the Constitution. It existed before the coming into force of the Constitution."

### Stress on Emergency

But in that interpretation he was overruled by his fellow judges, who held that the right to a court hearing on the suspension of personal liberty was "conferred" by the Constitution rather than just protected by it.

Therefore, as Justice P. N. Bhagwati put it in a one of the four concurring majority opinions, "no one can move any court for enforcement of the right" as long as the emergency lasts.

Except for the lone dissent, the lengthy opinions generally exhibited confidence in the Government's good faith, both in the declaration of the emergency and in the detention of people it considered to be a threat to internal security.

"The constitutional duty of every government faced with threats of widespread disorder and chaos to meet it with appropriate steps cannot be denied," Justice M. H. Beg wrote. "Even parents have to take appropriate preventive action against those children who may threaten to burn down the house they live in."

Some of the prisoners maintained in court that the reason the Government did not want to detail the charges against them was that the charges were inadequate or spurious.

### Issue of National Security

But the justices generally accepted the Government's contention that grounds for the detention of the political prisoners could not be detailed without endangering the national security.

As Chief Justice Ray put it: "Material and information on which orders of preventive detention are passed necessarily belong to a class of documents whose disclosure would impair the proper functioning of public service and administration. The file relating to a detention order must contain intelligence reports whose confidentiality is beyond reasonable question."

Thus they also upheld a disputed law, enacted last January, that declared the grounds under which anyone was imprisoned to be "matters of state, against the public interest to disclose."

To Justice Khanna, the dissenting judge, that view represented this threat.

That if any official, even a head constable, capriciously or maliciously arrests a person and detains him indefinitely, the aggrieved person would not be able to seek any relief from the courts."

### Nuclear Pact Gains in Japan

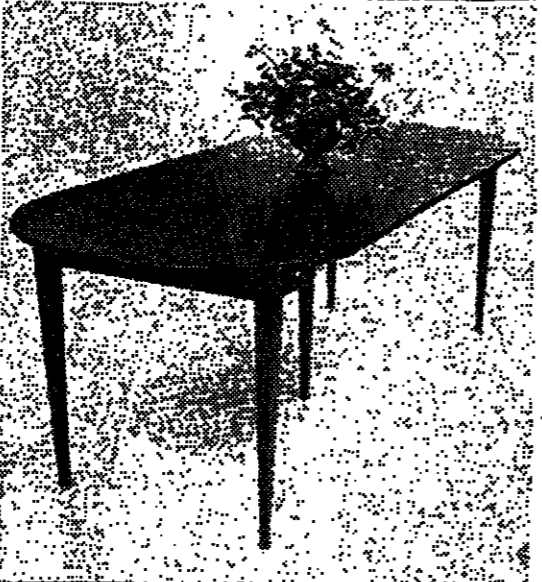
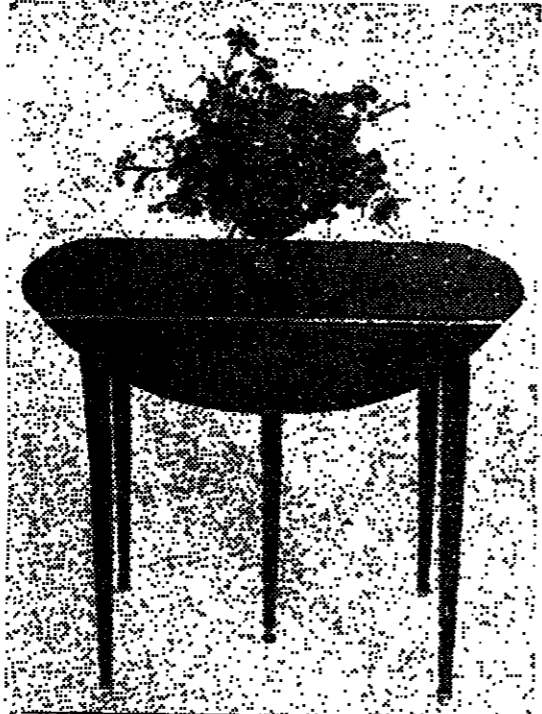
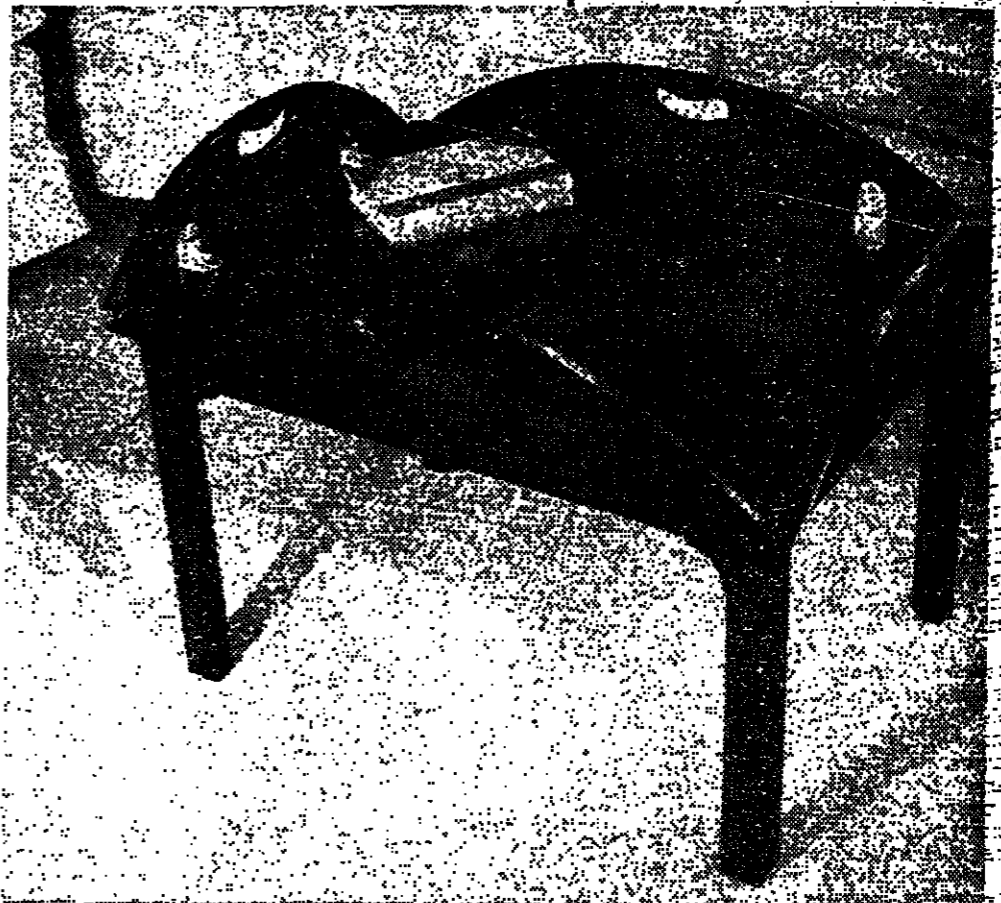
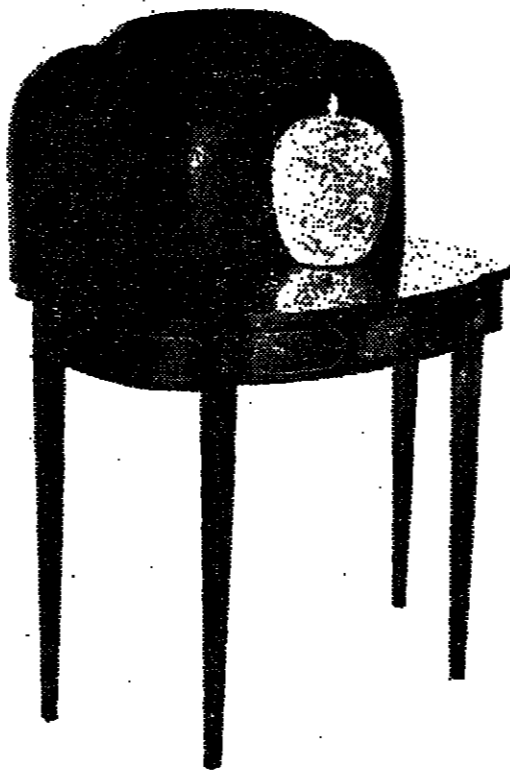
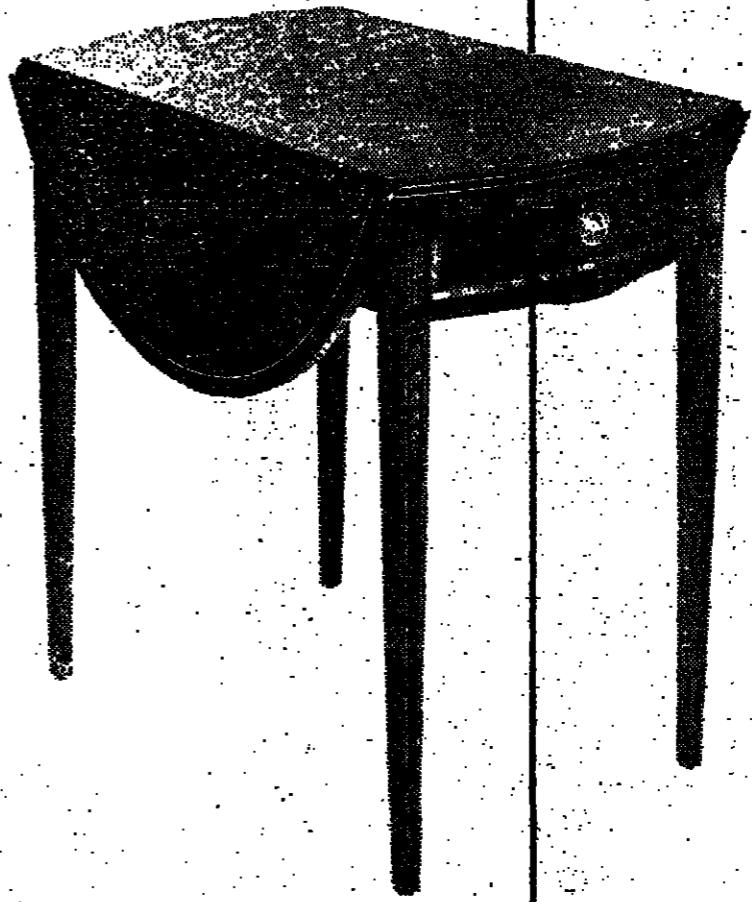
TOKYO, April 28 (Reuters) — Japan took a step today toward ratification of the 1970 treaty prohibiting the spread of nuclear weapons when it was approved by the lower house of Parliament. Observers said that the chance of the bill winning approval in the upper house was uncertain.

### 45 Slain by Burmese Rebels

RANGOON, Burma, April 28 (UPI) — Insurgents attacked a passenger vessel off the coast of southern Burma on Monday and killed 45 passengers, according to reports reaching the capital today.

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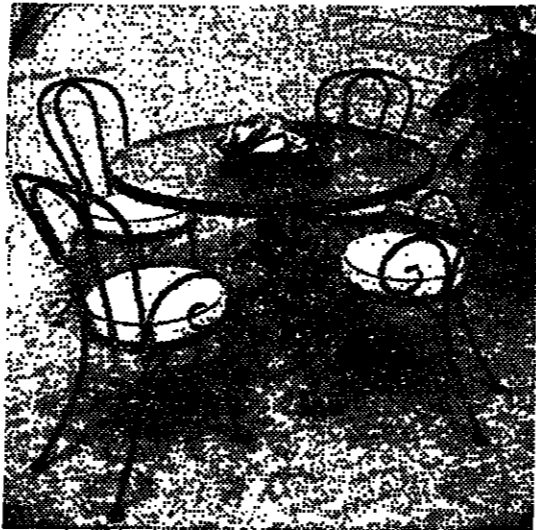


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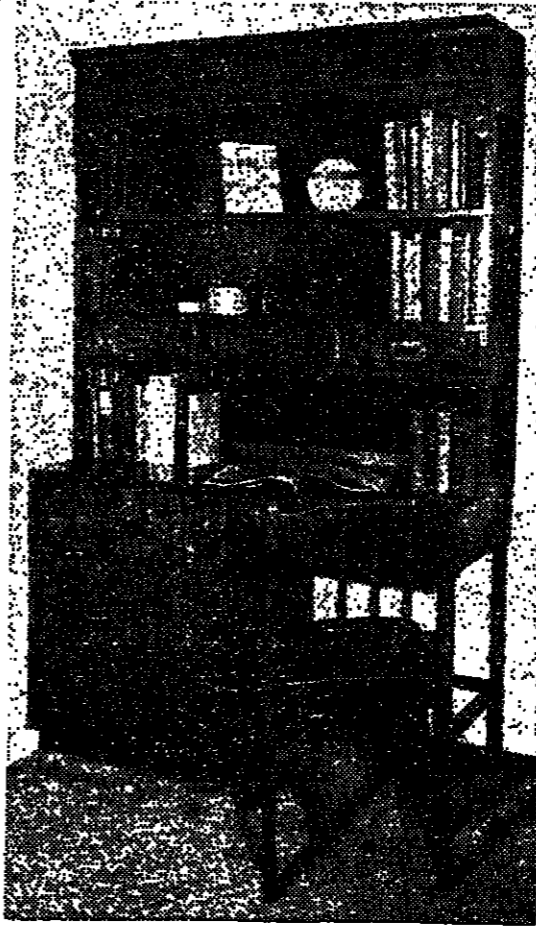
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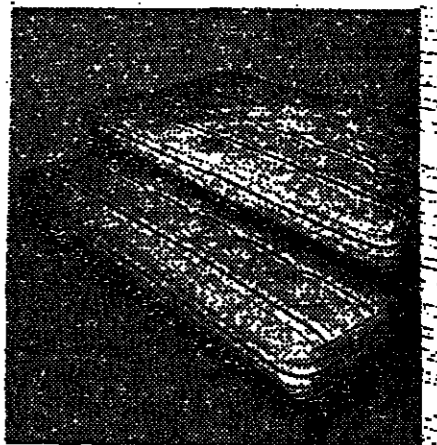
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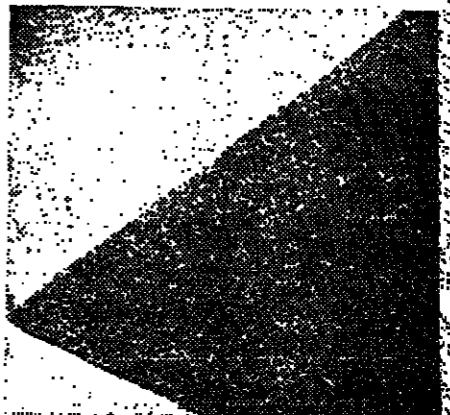
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had been arrested.

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plus scarf, 4 to 12  
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VENUE

# Soviet, in New Overture, Calls on China to Resume Border Talks

Special to The New York Times  
**MOSCOW, April 28**—The Soviet Union proposed today that China return to the stalled border talks with the Soviet Union, contending that a Chinese re-examination of Moscow's standing "package of constructive proposals" could break the deadlock.

The gesture was interpreted by some Western diplomatic analysts as Moscow's first attempt to interject itself into the current domestic struggle in China by trying to woo moderates with the appearance of Soviet conciliation.

It was the first significant development in the chilly relations between the two countries since Peking's release of a Soviet helicopter crew four months ago. The return of the three soldiers held for 21 months after their helicopter was seized inside China, took Soviet officials by surprise but did not improve the climate.

Today's overture was couched in a lengthy article on Soviet-Chinese relations in the Communist party newspaper Pravda. It was signed by I. Aleksandrov, a pseudonym used by Kremlin officials for policy statements.

**Chinese Claim Reduced**  
 The article attracted particular attention because it conceded that the Chinese territorial claim involved 33,000 square kilometers (about 13,000 square miles) of Soviet territory. As recently as December, the Soviet press had cited a more inflated figure of 1.5 million square kilometers (600,000 square miles).

No specific concessions were advanced in the article, which continued to refer to China's "groundless claims." Pravda further made clear that Moscow still would not accept Peking's prior conditions for negotiations—an acknowledgement that the territory was in dispute and a pullback of troops from both sides of the frontier.

The border talks, which began in October 1969, have been suspended since last May.

The language and timing of the article suggested to some diplomats that the Russians were trying to encourage moderates in Peking to push for

greater flexibility in dealing with Moscow. This appeal was made, however, in the context of familiar condemnations of the present policies of Mao Tse-tung.

The Soviet Union's campaign to isolate China diplomatically has been undercut by recent Chinese successes in cultivating past and present Soviet friends like Egypt and India. Peking has seized on Cairo's split with Moscow to offer the Egyptians free spare parts for Soviet-made aircraft and weapons. China is also resuming full diplomatic relations with India,

broken at the time of their 1962 border war.

At least one diplomat saw today's overture an attempt to head off Chinese progress while simultaneously convincing on-lookers, including other Communist parties, of Moscow's reasonableness in seeking to


mend fences with China. The split between the two Communist giants has hampered the Kremlin's efforts to convene a conference of European Communist parties.

The article detailed occasions when the Soviet Union sought to improve relations, beginning

in November 1964, when a Chinese delegation visited Moscow. This date seemed to be selected to rebut Chinese contentions that relations had worsened under Leonid I. Brezhnev, who ousted Nikita S. Khrushchev from the Kremlin in October 1964.

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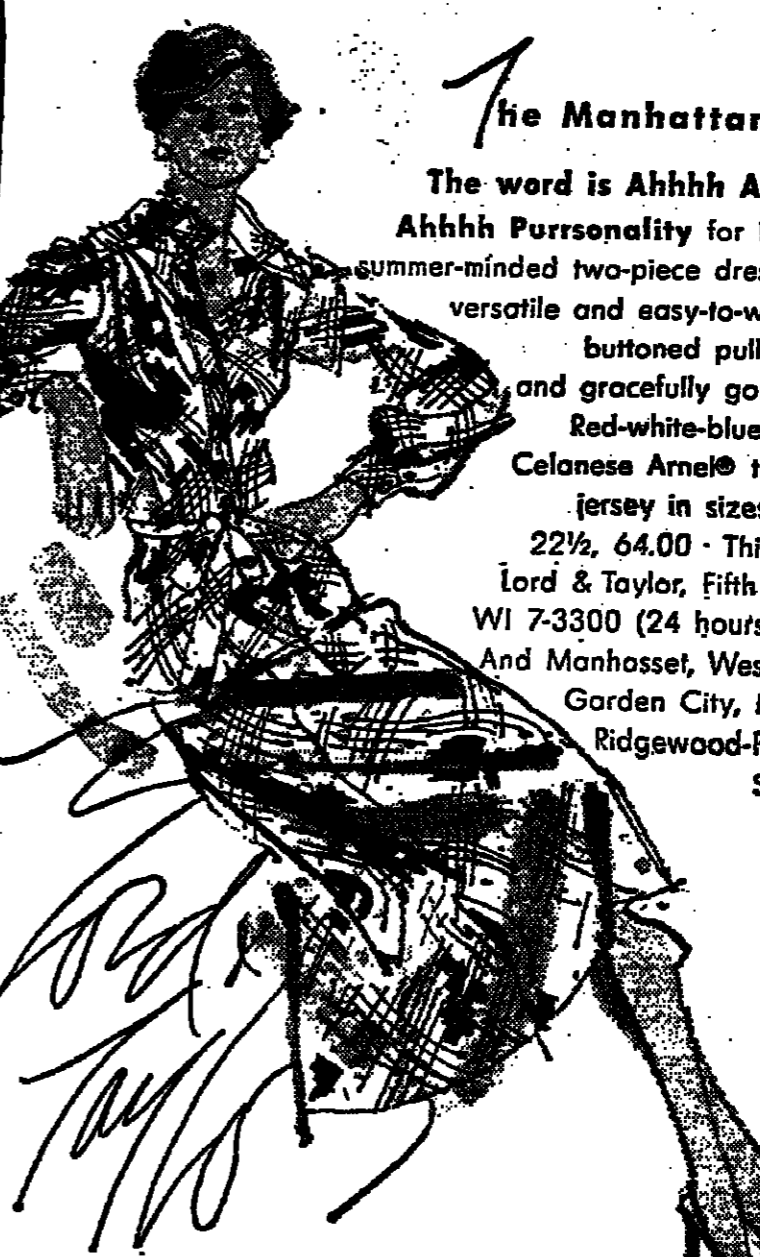
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# ing Paper Says Teng Plotted Against Mao and Split Leadership

April 28 (Reuters)—A Communist party newspaper stepped up a campaign against Teng Hsiao-ping, the former Prime Minister expelled from the Party.

Today's article accused Mr. Teng of "stabbing Chairman Mao Tse-tung in the back" and of making up lies about him. The April 5 riots were prepared well in advance and Mr. Teng's supporters have been hatching plots since last July, the article said.

Mr. Teng, once regarded as likely successor to the late Chou En-lai for the post of Prime Minister, was ousted from all his posts two days after the disturbances. Hua Kuo-feng was named Prime Minister.

Mr. Teng was not stripped of his Communist Party card, however. A Central Committee resolution said that Mr. Teng could "keep his party membership so as to see how he will behave in the future."

Japanese reports from Peking said Mr. Chiao made the statement to the Japanese Ambassador Hieshiro Ogawa, in a meeting Tuesday at the Chinese Foreign Ministry. The reports said Mr. Ogawa had asked Mr. Chiao about possible change after the purge of Deputy Prime Minister Teng and got the reply: "Our country's foreign policy is decided and put into practice by Chairman Mao Tse-tung and the party Central Committee, so there could be no change in it even after personnel changes."

## Half of 500 Laotians Who Escaped Jail Reported Captured

NONG KHAI, Thailand, April 28 (Agence France-Presse)—Nearly half of the 500 Laotian political and other prisoners who were said to have broken out of a jail in Vientiane Sunday were reported today to have been recaptured.

Some Laotians who said they had managed to escape and make their way to this Mekong River town in Thailand reported that two Laotian nationalist leaders had been unable to join in the breakout because they had been kept in chains since their imprisonment last October and they were not able to walk. Phagna Bong Souvannavong, 70 years old, one of the leaders, was the chairman of the first Laotian Constituent Assembly and led the Lao Union Party until October 1975. He was arrested then by the Pathet Lao after a demonstration organized by his party against Communist maneuvers to overthrow Prince Souvanna Phouma's coalition government.

The other leader was Prince Souk Bouavong, 58, a nephew of former King Sri Savang and a member of Parliament. He was arrested for having attacked the new Government's nationalization policy. A total of 562 political detainees reportedly took part in Sunday's mutiny, in which the director of the prison, members of his family and 15 guards were reported killed. The revolt reportedly took place during a "political re-education" meeting. Detainees threw sand in the faces of the Pathet Lao sentries and seized their weapons. The detainees then broke out of the prison, but about 50 of them were reportedly killed by Pathet Lao reinforcements.

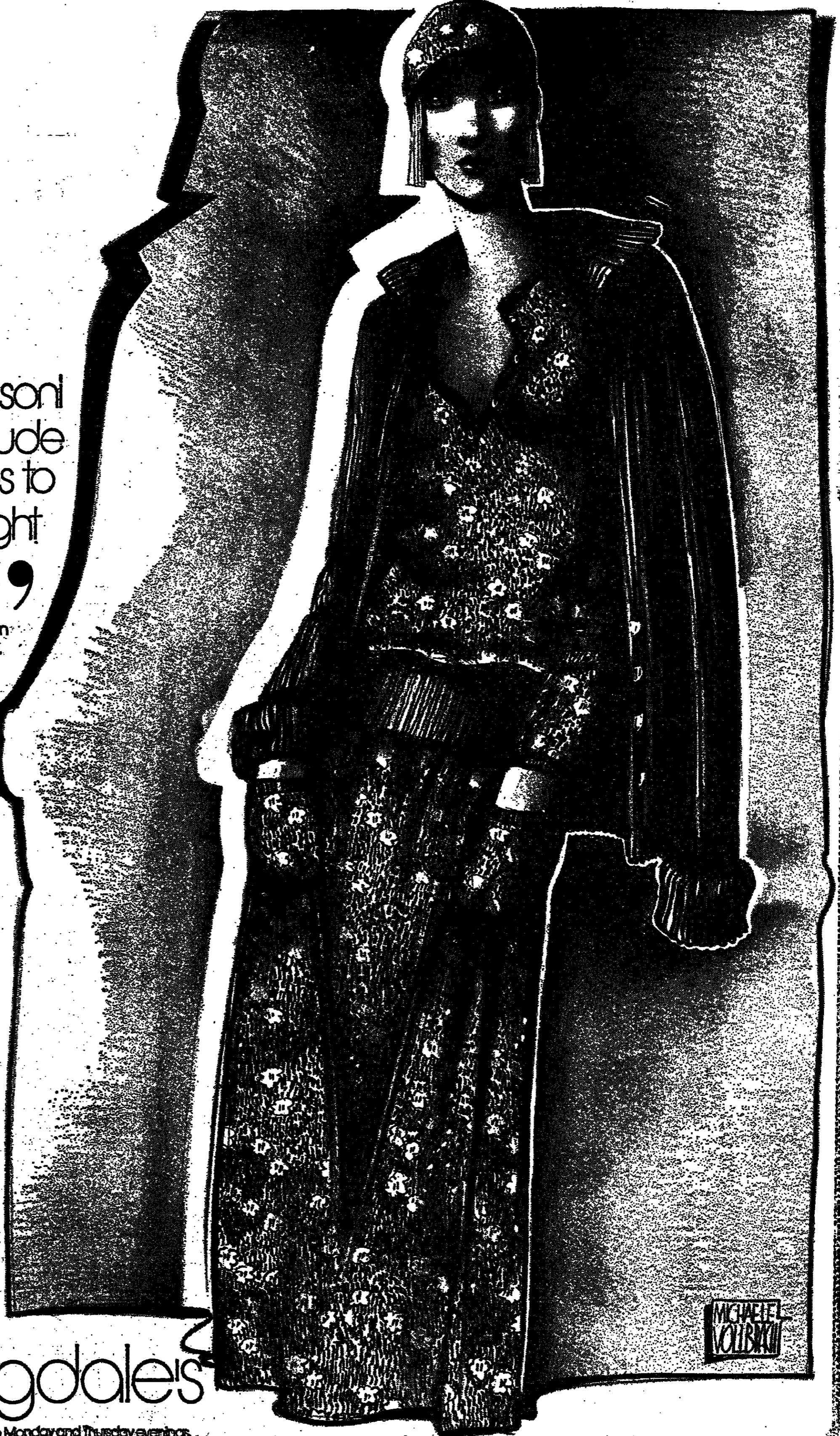
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# HANOI AIDE CITES KEY THIEU 'ERROR'

## General, Continuing Report, Tells of Panicky Decision to Abandon Highlands

By FOX BUTTERFIELD

HONG KONG, April 14—North Vietnam's Chief of Staff, drawing on the testimony of a captured South Vietnamese colonel, has described how South Vietnam's President decided on the "error in strategy" that led to the rout of his forces a year ago.

In a new installment of a continuing narrative of the war's final battles, the Chief of Staff, Gen. Van Tien Dung, said President Nguyen Van Thieu suddenly decided on March 14, 1975, to abandon the Central Highlands out of panic at the surprise capture by Communist forces of the highlands town of Ban Me Thuot four days earlier.

"Once an error in strategy was committed, defeat in the war was certain," General Dung said.

"It would come sooner or later. The only thing is that it was we who led the enemy to commit this error and created that turning point in the war," General Dung's account, titled "Great Spring Victory, A Summation of Senior Gen. Van Tien Dung's Accounts of the Combat Situation in the Spring of 1975," is being carried in serial form in Hanoi's newspapers and broadcast by the Hanoi radio. So far about 45,000 words have appeared, bringing the story up to the fall of Da Nang on March 29.

Earlier parts of General Dung's narrative, in which he described how North Vietnam's senior political and military leaders planned last year's offensive, were published in The New York Times on Monday.

Among the points emerging from General Dung's account in the latest installments are these:

According to two captured South Vietnamese colonels, President Thieu reached his decision to abandon the Central Highlands at a meeting with his top military aides at Cam Ranh Bay only the day before the beginning of the panicky exodus that led to the fall of Saigon on April 30.

The South Vietnamese Army's total collapse at Da Nang, the country's second largest city, where soldiers stampeded over one another to run away before the Communists attacked, looks even worse in retrospect, for General Dung says that he ordered a Communist commander from Hanoi to fly south to take charge of the battle only on March 26. The city fell, without a fight, on March 29.

The North Vietnamese might have ended the war even more quickly after the rout in the Central Highlands in mid-March, but General Dung decided to use his four divisions to advance eastward into Binh Dinh Province on the coast rather than head south for Saigon. The Communists' commander in the Saigon area, Gen. Tran Van Tra, sent General Dung a message in which he "regretted" that he had not had sufficient forces to capture more territory himself at the time.

### A Second-Hand Account

The South Vietnamese colonel quoted by General Dung in his account of how Mr. Thieu made his "error in strategy" was not himself present at the President's meeting at Cam Ranh Bay.

But the officer, Col. Pham Duy Tat, who commanded the large force of rangers in the highlands and who was highly regarded by other South Vietnamese officers, was reportedly informed of the meeting later that same day by his own superior officer, who did attend.

That officer was Gen. Pham Van Phu, the commander of the South Vietnamese forces in the highlands. According to the account attributed to Colonel Tat, others who took part, besides President Thieu and General Phu, were Premier Tran Thien Khai, the South Vietnamese chief of staff, Gen. Cao Van Vien, and President Thieu's special assistant for military intelligence, Gen. Dang Van Quang.

All these participants were later to leave South Vietnam.

### A Bomb in Jerusalem Kills 2 and Injures 4

JERUSALEM, April 28 (UPI)—A timebomb in a paint can in the heart of the city today killed two policemen and injured four other persons, a police spokesman said.

The bomb went off as it was being dismantled by an explosives expert of the police force, the spokesman said. The expert and a police captain were killed.

A soldier and three other policemen, who were about five yards from the blast, were injured, the spokesman said.

Dozens of Arabs suspects were taken into custody after the incident, and roadblocks were installed around the city.

The police said that a passer-by had alerted them to an object in a quart paint can, which contain about half a pound of explosive and a quantity of nails.

# Excerpts From the North Vietnamese Chief of Staff's Account of the Spring Offensive in

HONG KONG, April 28—Following are additional excerpts, in unofficial translation, from the account of North Vietnam's Chief of Staff, Gen. Van Tien Dung, of the spring offensive of 1975 that led to the Communist victory in South Vietnam. Earlier excerpts were published in Monday's New York Times.



The New York Times/April 29, 1976. Black areas on map mark parts of South Vietnam held by Communist forces in March, 1975, when Ban Me Thuot fell. Saigon's units, which held white areas, then quit central region. Diagonal shading marks disputed areas.

Puppet Col. Pham Duy Tat, commander of the ranger force on the Second Military Region, made the following declaration to us about the puppet units withdrawing from the Central Highlands:

"On the afternoon of March 14, while I was going to various units to re-examine the defense situation in Pleiku, I received a call from the military region headquarters telling me to attend a meeting at the office of Pham Van Phu, commander of the Second Corps. Phu said he had just come back from a meeting in Cam Ranh with Nguyen Van Thieu, Tran Thien Khai, Cao Van Vien and Dang Van Quang. Here is Phu's account of the meeting:

"Thieu asked Vien: 'Do we still have reserve forces to reinforce the Second Corps?' Vien replied: 'No.'"

"Thieu then turned to Phu, asking: 'If there are no reinforcement troops, how long will you be able to defend the area?' Phu answered: 'I can defend for a month on the condition that I will get maximum air support, sufficient airborne materiel, weapons, ammunition and reinforcement troops so as to make up for our recent heavy losses. I will stay in Pleiku to fight and I will die there.'"

"Thieu said: 'These conditions cannot be met, and the P.L.A.F. [People's Liberation Army Forces] is conducting violent attacks; therefore we must withdraw from Kontum and Pleiku so as to preserve our forces and use our troops to defend the Delta and the coastal area.'"

"Then it will be more convenient for us regarding supplies." Withdrawal Routes Weighed

"Thieu then asked: 'Could Route 19 be used for our withdrawal?' Vien answered: 'In the history of the Indochina war, no forces have been able to withdraw along Route 19 without being badly mauled by the revolutionary forces.'"

"Thieu again asked: 'How about Route 14?' Vien answered: 'Withdrawal is all before the Communists' final victory on April 30. None has offered a public explanation of what happened.'"

Colonel Tat says, according to General Dung's account, that the crucial factor in Mr. Thieu's thinking was that there were not enough reinforcements that could be sent to bolster the highlands and enable General Phu to hold out against a Communist attack on Pleiku and Kontum. At that point the North Vietnamese had four divisions in the highlands against two for the South Vietnamese, and the Communists had cut the only two usable highways into the vast, sparsely populated region.

The Communists had also severely shocked the Saigon command by capturing Ban Me Thuot, a town of 100,000, in only a day's fighting.

the more impossible along Route 14.

"All those attending the meeting then realized that the only choice left was Route 7, which had not been used for a long time and was in bad condition, but it could provide an element of surprise."

"Brig. Gen. Tran Van Cam asked: 'How about the province chiefs, the regional forces and the local people? Shall we also organize their withdrawal?'"

Phu replied: 'According to Mr. Thieu's order, the regional forces should be left behind, and no information of the withdrawal should be given to the province chiefs. Let us complete our withdrawal and let them find out about that later on. The regional forces here consist only of highlanders. Let them return to the highlands.'"

"After completing his explanation, Phu ordered Cam and Ly, chief of staff of the Second Corps, to work out a withdrawal plan."

Following the enemy's serious defeat in the Central Highlands, the Political Bureau and the Central Military Party Committee promptly assumed leadership over the Tri-Thien front and directed the Second Army Corps to rapidly change the direction of its offensive. On March 17, the Tri-Thien military zone was ordered to send its forces at once from the moun-

tain areas to the coast to motivate the masses in intensifying the people's war, to press closely on communications lines and the outskirts of Hue, to intensify military proselytizing activities and so forth. At the same time, the Second Army Corps was ordered to intensify its attacks from the [Chau] area and to strategically sever Hue from Da Nang.

On being told that Hue had been liberated, I could not control my emotions. My eyes were filled with tears. I remembered that on the day of liberation of Ban Me Thuot, Comrade Pham Ham returned to the command post from Ban Me Thuot City to report on the situation. Comrade Pham Ham saluted, shook hands with me and then embraced me.

He was choked with emotion, his eyes filled with tears. He could say just one sentence: "Our victory is extremely great, brother."

I lit a cigarette. I had quit smoking long ago, but each time we succeeded in solving a thorny problem, won a victory or achieved particular success, I smoked a cigarette with particular satisfaction. When the comrades around me, including the guards, saw me smoke a cigarette, they knew that I was enthusiastic.

After our great victories in the Central Highlands, the regional party committee and the Fifth Military Zone Party Committee, anticipating a new opportunity, cast aside plans to develop the offensive toward the south and shifted the direction of our offensive to the north with the aim of creating conditions for our attacks on Da Nang.

On March 24 and 25, the Second Division of the military zone, in cooperation with the regional forces, annihilated and disintegrated the Fourth and Fifth Regiments of the second puppet division and liberated Tam Ky and Tuan Duong. The Quang Ngai regional forces, in cooperation with the masses, attacked, rose up and liberated the northern part of the province. We annihilated the enemy and liberated the Chu Lai base.

Attack on Da Nang Ordered

On March 26 I cabled Brother Hoang Van Thai, deputy chief of the general staff, requesting him to order the Second Army Corps to bring its long-range artillery immediately to within striking distance of the airfield and port of Da Nang, urgently mount a siege on this city and boldly advance into this city to destroy all the enemy forces massing there. If this plan was achieved, we would be able to facilitate future operations on the Nam Bo battlefield. I asked the Central Military Party Committee to send Brother Le Trong Tan, deputy chief of the general staff, to supervise the Second Army Corps' attack on Da Nang to insure victory.

The Second Army Corps operating on the Tri-Thien front was composed of the 304th, 324th and 325th Divisions and a number of technical units.

On March 27 the Central Military Party Committee decided to set up the Quang Dai Front Command with Comrade Chu Huy Mao as political commissar and Comrade Le Trong Tan as commander. Comrade Tan boarded a helicopter in Hanoi to fly to Gio Linh.

To attack Da Nang, it was necessary to set up the command headquarters west of Da Nang. Upon his arrival in Quang Tri, Comrade Tan

developing battle gains, we could speed up the enemy's disintegration.

Our victory in the Central Highlands was extremely great as it had been realized beyond our expectations. Our forces had sustained only marginal losses in combat, the fighting spirit of our troops had increased many-fold.

We were still strong logistically—only part of the ammunition earmarked for the plan had been used and a fairly large quantity of ammunition had been seized from the enemy. Our strategic communications lines

now allowed smoother and quicker passage for trucks. There still remained a month and a half of the dry season for us to continue our operations. All our battlefields throughout the South had developed their operations with good coordinations. In the short term, the question was to determine the correct direction for developing the operations of the Central Highlands forces in the most continuous, rapid and effective manner in order to make fullest use of their might and spend the least time possible.

After intense discussions, we agreed that for strategic day the operations of the Highlands forces advance eastward, our forces sweep coast and join forces of the II Region in Phye Dimh and Phnye and part of Khar Ince, destroying of the enemy's and liberating million people.

By this time, I estimate, our task to advance up the lowlands in victory.

Our big artillery guns began bombarding Da Nang airfield, Hoa Binh base, the headquarters of the third puppet division command, Son Tra port and the command headquarters of the marine division in Non Nuoc, thus driving enemy troops in the city into a more panicky state.

On March 29 ground troops and tanks of the Second Army Corps, together with the armed forces of the Fifth Military Region, advancing in four directions—north, northwest, southwest and south, rapidly and directly attacked the city.

The city was not subject to destruction. The airfield, military barracks and government buildings remained intact; public utilities were still in service and ferries were still in operation. We seized 26 aircraft, 20 tanks and 40 artillery pieces. Within 32 hours we had destroyed or disbanded more than 100,000 enemy troops, captured a strong military base complex and liberated Da Nang, the second largest city in the South.

Southern Corps Destroyed

With the liberation of Da Nang, we had completed the destruction and disintegration of the First Corps and totally liquidated the puppet Military Region One, creating conditions for speeding up the total collapse of the puppet army.

I also received news about the situation on the Nam Bo battlefield through a letter sent by Comrade Tran Van Tra, commander of the Nam Bo armed forces and the Sixth Region.

Comrade Tra regretted that he had not had sufficient forces to proceed immediately with capturing Biao and Da Lat after liberating Lam Dong.

At the Central Highlands Front Command headquarters, on March 18—when the enemy was retreating from the Central Highlands—we discussed the trends for developing the operations of the Central Highlands forces. We came to the following assessment of the situation facing the enemy and ourselves:

Our victories in the Central Highlands had had a very strong impact on the enemy's strategic deployment of forces and his morale. By going on the offensive and quickly

developing battle gains, we could speed up the enemy's disintegration.

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BARBIZON PLAZA HOTEL 156 Central Park South Cor. 6th Ave.	Tues. 4:25 or 5:45 pm	Tues. May 11 6:30 pm
CONGREGATION SHAARE ZEDEK 212 West 93rd St.	Wed. 4:25 or 5:30 pm	Wed. May 12 7:30 pm
FIFTH AVENUE HOTEL 80 Ave. & 9th Street	Wed. 4:25 or 5:30 pm	To be announced
BILTMORE HOTEL 43rd Street & Madison Ave.	Wed. 4:25 or 5:30 pm	Wed. May 12 6:30 pm
WARWICK HOTEL 34th St. & 6th Ave.	Wed. 4:25 or 5:30 pm	Wed. May 12 6:30 pm
PHARMACEUTICAL SOCIETY 117 E. 69th Street	Thurs. 4:25 or 5:30 pm	Thurs. May 13 7:30 pm
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# Texans to Choose Among Obscure Aspirants to a Panel That Cherishes Obscurity

By JAMES P. SIERRA  
Special to The New York Times

HOUSTON, April 28—One candidate travels by bus with a country band called the Rolling Ripoff Review. Another one fuels his campaign mostly from a shot glass. A third contender is so steeped in oil industry funds that opponents say voters might as well elect the president of an oil company.

The most colorful and perhaps the most important contest in Saturday's Texas primary election is not between President Ford and Ronald Reagan. It involves Lane Denton, Terence O'Rourke, Jon Newton and five others all of whom most Texans have never heard of.

They are running for a vacant seat on the Texas Railroad Commission, a body as obscure to most voters as the

candidates running for it. Mr. O'Rourke calls it "probably the most obscure important agency that there is in this country."

Yes, the commission does regulate railroads, but only 43 miles of tracks. It also regulates trucking and buses in the state. But its most important job is regulating the state's powerful oil and natural gas industry. By setting production rates and issuing permits, the commission has exercised the power of Arab sheiks for decades before the sheiks even thought about it.

Texas produces more energy than any other state, about one-third of the nation's domestic supply. Virtually all of it is oil and natural gas, and through years of getting production rates the commission, in effect, has set prices. Court rulings on natural gas, the increase in foreign crude imports, the Arab oil embargo and Federal controls have all eroded that power.

For four years, the commission has set monthly production rates for Texas wells at 100 percent of their capacity. If it could think of a good reason, however, the commission could shut down Texas production overnight.

The three seats on the commission have long been considered by the oil industry and its political friends to be much too important to be left to the whims of voters. The commissioners are elected to staggered six-year terms. To thwart the ballot box, a retiring commissioner has always stepped down early, allowing the Governor to appoint a successor who then faces voters with the advantages of an incumbent.

The industry has then lavished upon him more than enough money to win subsequent elections. The Gulf Oil Corporation had admitted passing money-filled envelopes to every commissioner except one since the early 1960's.

This year, however, Commissioner Ben Ramsey, 72 years old, reportedly got angry with Gov. Dolph Briscoe and refused to retire early. So, for the first time in 36 years, there is no incumbent to run against, and outsiders see their first chance to break up the industry-government cabal.

What most Americans, including most Texans, do not realize is that Texas is also the nation's largest consumer of energy. According to 1973 figures, the state consumed seven million billion British thermal units of energy to fuel its giant petrochemical complexes, its burgeoning industries and its electrical generators. That compares with 5.2 million billion BTUs consumed by California, and 4.5 million billion consumed by New York.

Consumers' Interests

Texas is also tops in wasting energy, using natural gas, the most precious fuel to produce 95 percent of the state's electricity. Gas supplies, however, are dwindling and prices have soared. Consumer utility bills have risen 500 percent in some Texas cities. At the same time, the price of Texas natural gas sold out of the state is controlled by the Federal Power Commission at artificially low prices, meaning Texans are paying three or four times more for gas found under their own homes than, say, New Yorkers are paying for it.

All of this has made the race for the Railroad Commission seat a consumer-oriented campaign. Even the oil

industry's candidate, Mr. Newton, a 38-year-old state legislator from Beeville, talks about protecting the consumer.

Mr. Denton, a 36-year-old liberal State Representative, bought an old bus on Easter Sunday, recruited the singing Reynolds Sisters and the New Oso Band, and went on the road, hoping to hit 98 cities in 10 days with tunes like "The Billion Dollar Ripoff" and "The Ballad of Lane Denton."

In 1938, a four salesman named W. Lee O'Daniel, called Pappy, got Bob Wills,

a singer, and the Light Crust Doughboys to do the same thing, and he was elected Governor over 12 opponents. Mr. Denton, who has been endorsed by Ralph Nader and Frances "Sissy" Farenthold, hopes to repeat that feat.

Mr. O'Rourke, a 28-year-old Houston lawyer, has had the most impact on the commission during the race. He was endorsed as the most effective contender by the editor of The Texas Observer, the influential liberal magazine. After investigating, he published a two-volume, 80-page "O'Rourke Report" charging that the Railroad Commission had allowed a natural gas company to engage in gas banking deals that cost consumers \$130,000 per day in higher utility bills.

The company is the Lovace Gathering Company, a subsidiary of Coastal States Gas Corporation, which is nearly bankrupt because in order to get long-term contracts to sell gas to several cities, it promised cheap gas that it could not supply. Its board chairman is a flamboyant 51-year-old Houston socialite, Oscar Wyatt. Since the O'Rourke report, most of the commission candidates have been running against Mr. Wyatt.

Mr. Wyatt has in turn been ignoring the hubbub while having Truman Capote, Andy Warhol and the sister of the President of France in as weekend house guests at his River Oaks mansion.

Like the nation, Texas does not have an energy policy, says Mr. O'Rourke. Rather, it has a hodgepodge of amended laws first passed in the 1930's, when oil was selling for 10 cents a barrel and natural gas was burned off as a nuisance.

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## Seoul Party Assails Curb On Arrested Foe of Park

Special to The New York Times

SEOUL, South Korea, April 28—The opposition New Democratic Party, has issued a statement criticizing the Government's alleged refusal to let Kim Dae Jung, a former opposition Presidential candidate, see his lawyers.

Mr. Kim was arrested early last month after he and others had called for President Park Chung Hee's resignation on the ground of arbitrary political control.

Mr. Kim ran against President Park in the 1971 election, which was the last held in South Korea. He and 17 others are scheduled to go on trial next week on charges of having violated the emergency decree banning all political activities against the Government.

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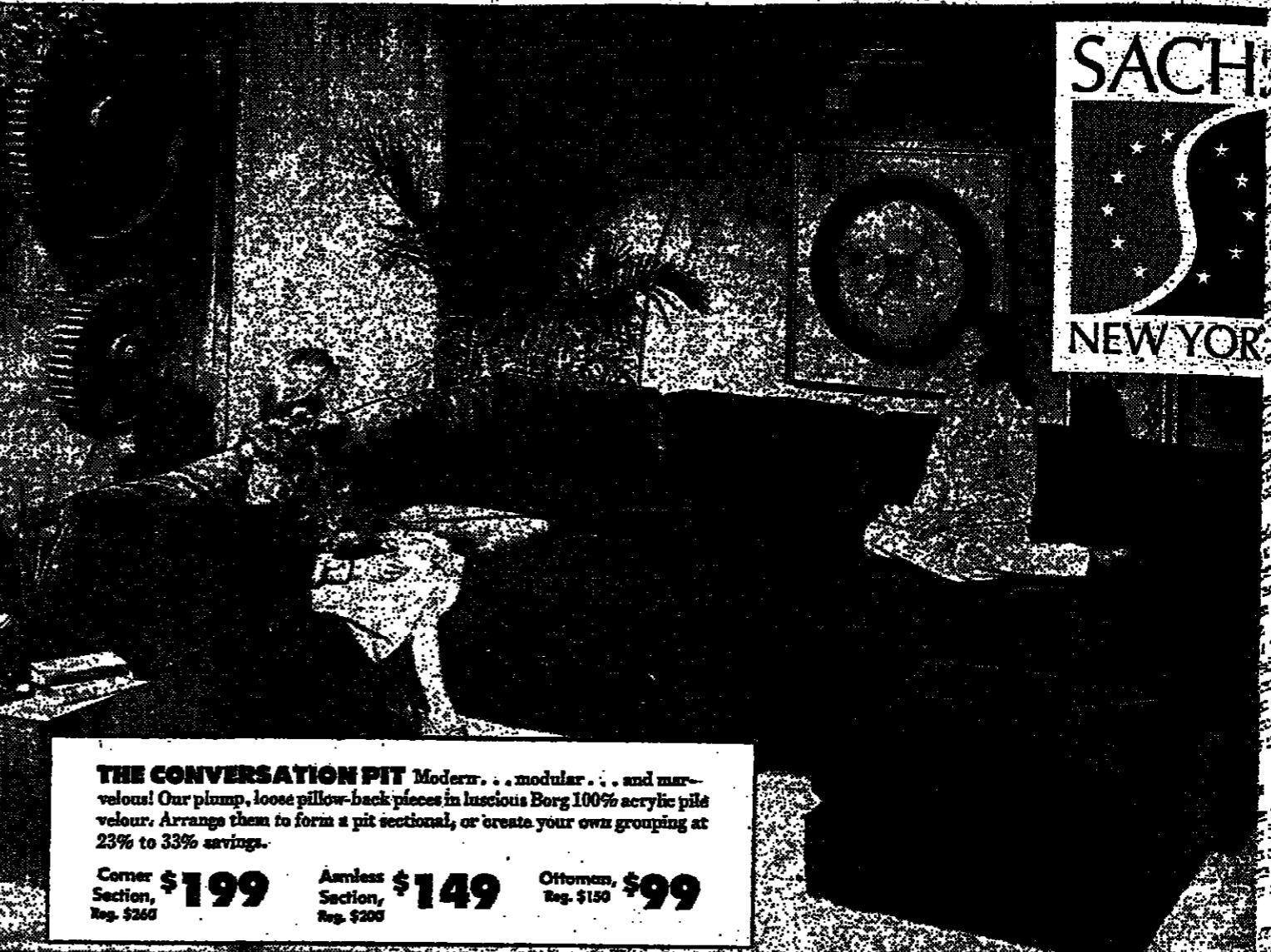
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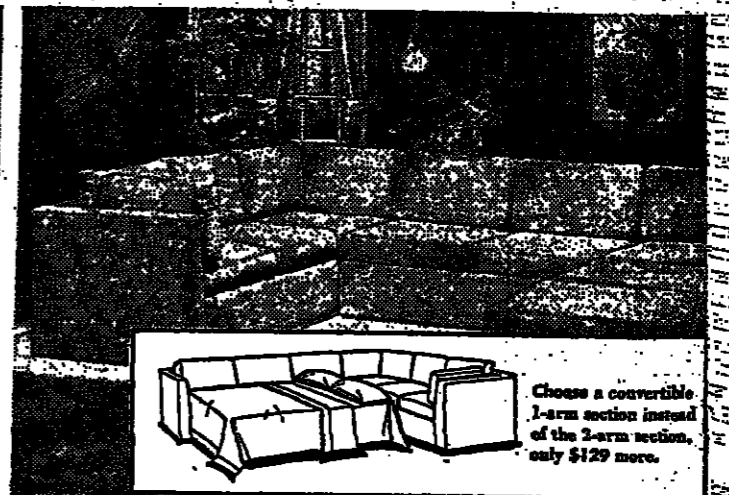
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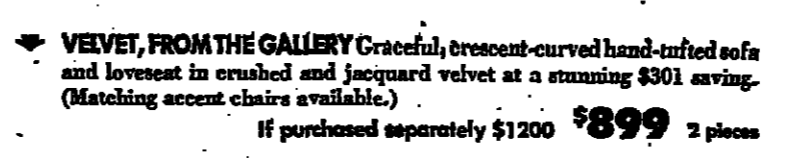
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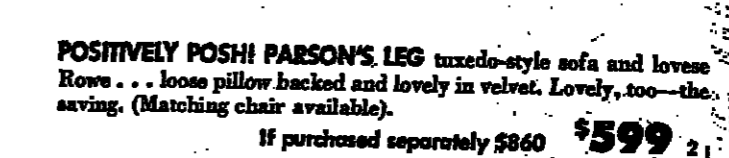
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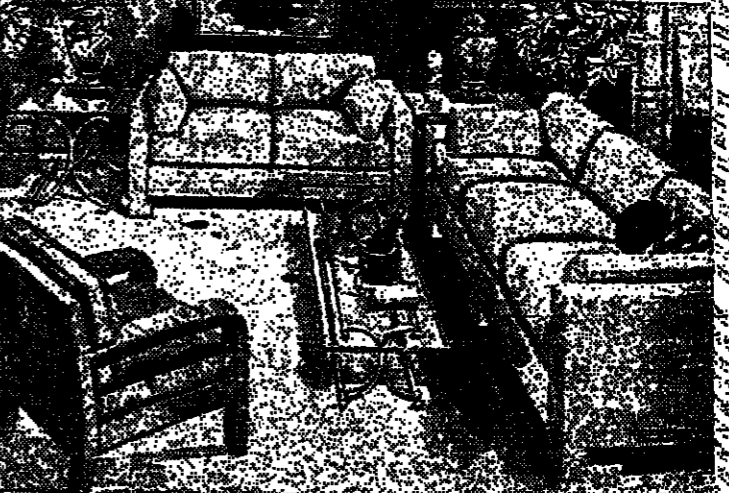
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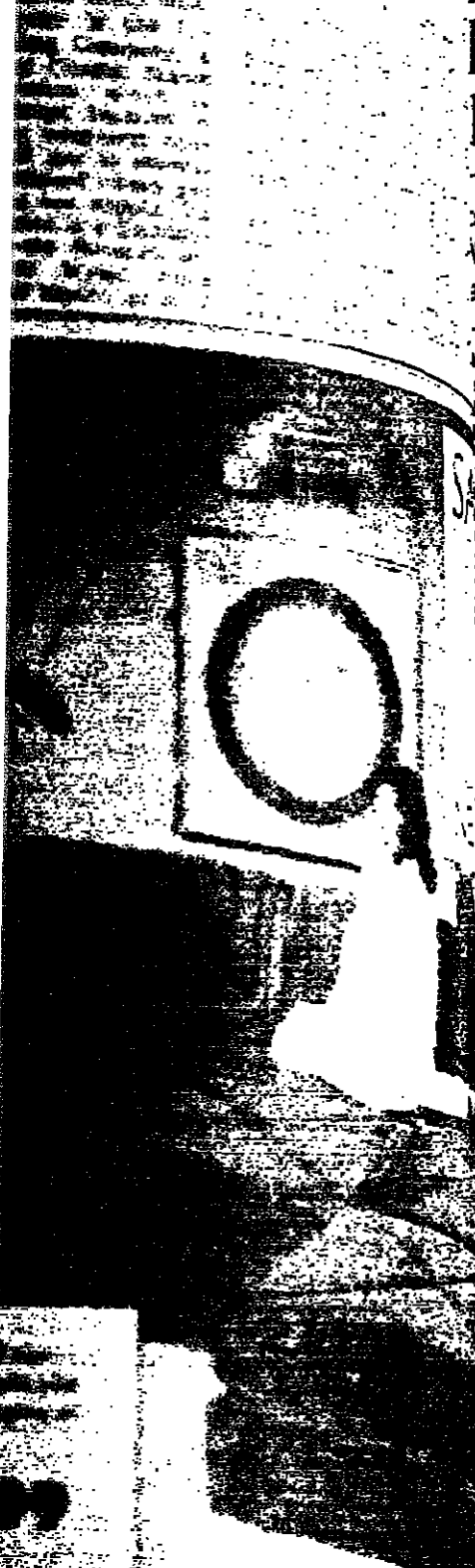
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April 28, 1973

That Cherished



Living Room

Every Living  
Couch, Loveseat,  
Best Day Sunday!



NEW YORK



NEW YORK

### IC REACTORS NDED AS SAFE

#### Give Arguments Next Generation of Power Plants

**ALTER SULLIVAN**  
In The New York Times  
INGTON, April 28—  
ponents of breeder  
power plants sought  
to quieten the  
controversy that  
burst after the mel-  
tdown at Three Mile  
Island.  
The breeder reactor  
is a hypothetical explosion  
that could result from the sudden  
increase of high pressure  
in the containment  
vessel rather than a nuclear  
reaction.  
The breeder reactor  
addresses the problem  
that which raised  
the urgency of the emer-  
gency system in reac-  
tors operating today  
is a sodium-cooled  
reactor, however,  
in many basic respects.  
First, they operate at  
higher temperatures and  
are cooled by liquid sodium  
rather than water.  
Second, breeder re-  
actors use high-speed neutrons  
to breed their fuel, which cannot be  
reused as in a conventional  
reactor, which is a suitable  
fuel for a breeder reactor.  
An attempt to vindicate  
the breeder reactor was  
made at the meeting of the American  
Nuclear Society being held at  
the Waldorf-Astoria Hotel here. At-  
tendees focused on  
the breeder reactor, for example, a run-  
away reaction could lead to  
a meltdown, in which melting  
of the fuel makes it again sur-  
face to "go critical" and  
initiate a new chain  
reaction.

**Fuel Escape**  
A major fear has been that  
radioactive sodium could  
escape from the sodium cool-  
ant and vaporize im-  
mediately and burst the con-  
tainment vessel.

**Fauske of Argonne**  
Laboratory, a Federal  
Energy Research Center,  
said that elaborations  
had shown this  
to be highly unlikely.

**Dr. Wilson, professor**  
at Harvard University,  
an outspoken supporter  
of breeder reactors, cited  
the "Doppler coef-  
ficient" which contributes to  
the reactor's safety. At a news  
conference for the season, he  
said a million had been  
spent to verify the effect's  
test reactor.

It means that, if a  
reactor's temperature rises  
due to a malfunction, any  
excess heat resulting  
from the reaction auto-  
matically slows the  
reaction rate.  
Dr. Wilson found that, as  
temperature increases, the  
rate of plutonium rises  
and uranium 235 de-  
creases. As long as there is  
a net gain in the mix-  
ture, it is said, the  
temperature rise  
will not stop the reactions.  
A response comes two  
days after the disclosure  
by Stephen H. Hanauer,  
specialist with the  
Regulatory Commis-  
sion on the danger of a  
meltdown. His re-  
sult had been  
announced March 13.

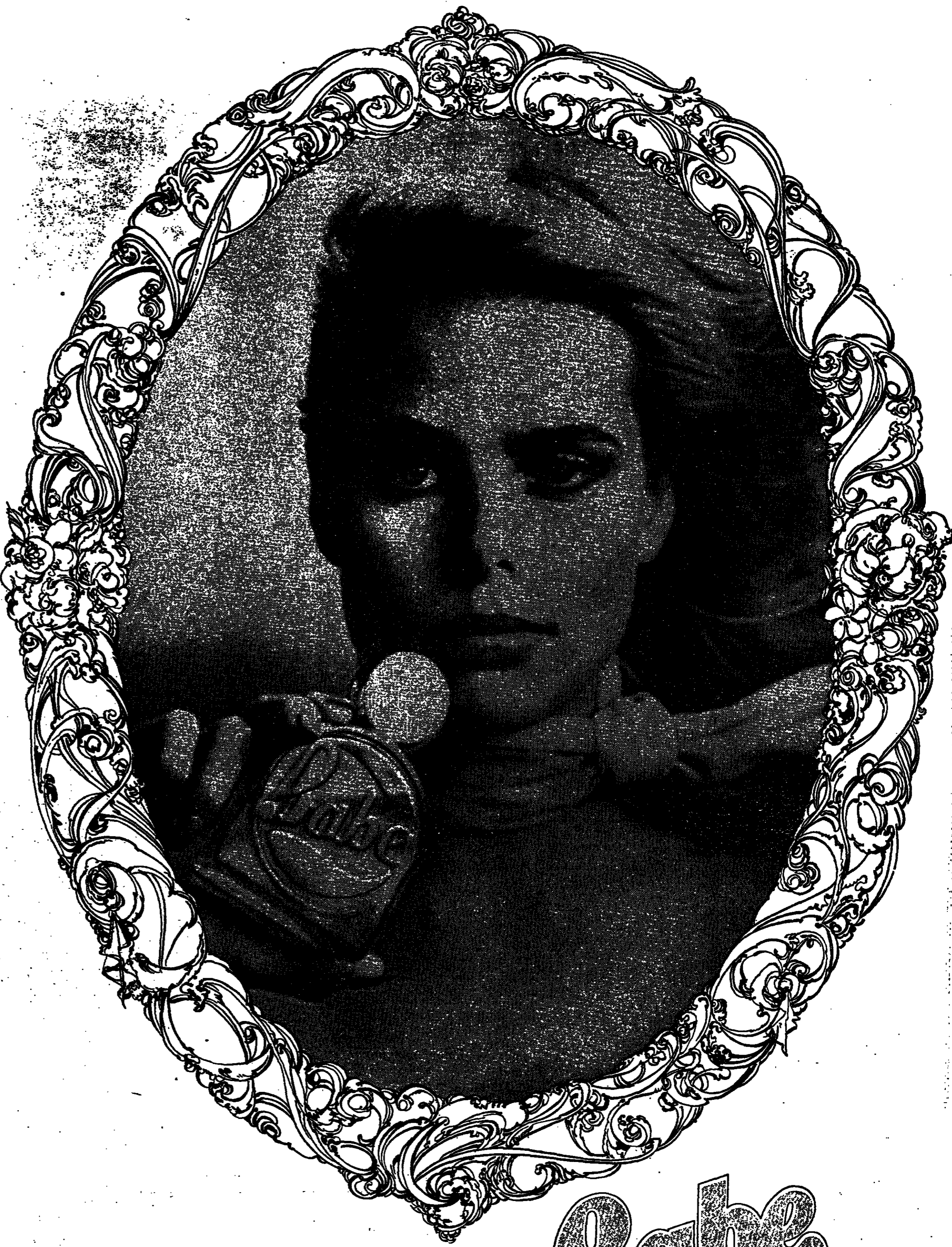
**Additional Study**  
A breeder reactor could  
produce more than 100 times  
as much plutonium as  
radioactive and  
material over a  
lifetime of 30 years.  
Twelve days ago,  
the Senate Committee  
of Congress  
announced a study  
public, also raising  
out safety and ad-  
dressing breeder pro-  
jects.

Projects have helped  
the American effort in this  
field, although it repre-  
sents the largest item in the  
Energy Research  
Administration  
annual outlay runs  
to \$1 billion.

The first prototype  
breeder plant, on the  
site near Oak Ridge,  
Tenn., is to be built, sev-  
eral plants have begun  
abroad. Those at  
Dumfriesshire in Scotland  
and in the Soviet Union  
planned with diffi-  
culty.

An accident occurred in the  
reactor at the extreme  
temperature of sodium out of the  
reactor transfers the heat  
to an intermediate so-  
dium loop to convert water  
to steam. When water and so-  
dium mix, violent reactions  
occur, producing sodium hy-  
dride (sodium or hydrogen  
sulfide) which Phoenix breeder  
reactor has been relatively  
safe but was "over-en-  
riched" at considerable cost  
to build a test facility, rather  
than a prototype power  
plant.

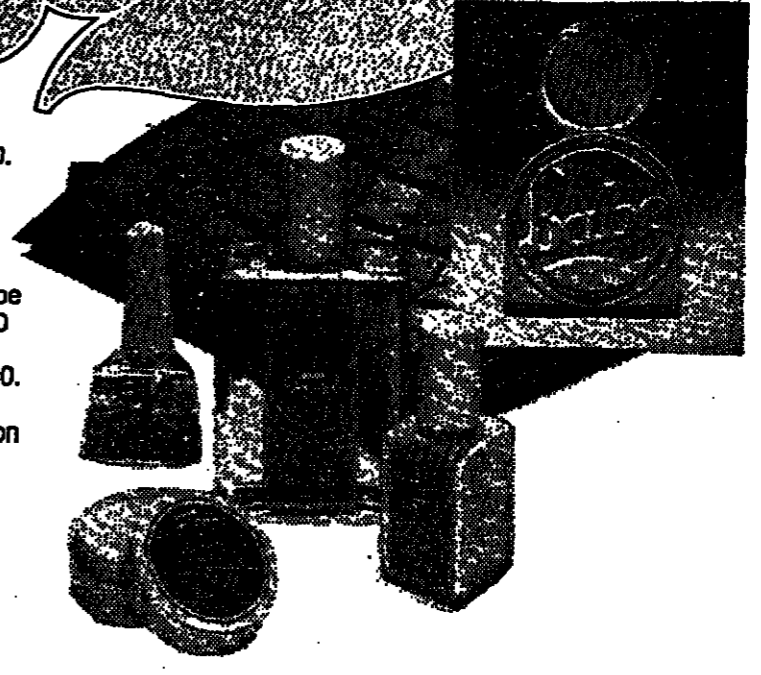
In a session, Dr. Wil-  
son of the Los Alamos  
laboratory in New  
Mexico called for a supple-  
mentary cooling system in  
which water is used. The  
heat from the reactor  
which may become  
enriched with radioac-  
tivity is transferred to a sec-  
ondary system (free  
from sodium) and then dis-  
sipated into the atmosphere.



## Here's looking at you...

# Babe

and you're fabulous. You're fresh and natural...sultry and tempting. Adventurous like no other. You're so many beautiful things, all rolled into one...born of 118 precious essences—warm amber and musk, citrus and sandalwood, timeless florals and woody notes. You were created to be all things to all women...and we've got you, Babe. The million dollar fragrance from Faberge. Cologne, 2 oz. \$5; 4 oz. 8.50. Non-aerosol Spray Cologne, 2 oz. \$6; 4 oz. 9.50. Purse Perfume in golden metal case, 1/4 oz. \$10. Bath Powder with fluffy peach puff, 8 oz. 6.50. And, to introduce you to Babe, Faberge has a special offer for you: The Nail Care Essential Kit. Clear Ceramic Glaze, Nail Glaze Remover, Enriched Cuticle Remover and Cuticle and Nail Treatment Cream...all in a reversible beige and brown designer case. It's yours for just \$4 with any \$6 purchase from the Babe collection. Come meet Margaux Hemingway, the all-American Babe who's the essence of what Babe is all about. She'll be at the Faberge counter in our Herald Square store on Friday, April 30 at 11:30 and 1:30...in Cosmetics (D. 78), Macy's Herald Square, Street Floor and your Macy's. Mail and phone orders filled for \$7 or more, tax exclusive. NYC: LA 4-6000. NJ: (toll-free) 800-221-6822. New Haven: 203-624-9211. Elsewhere in Conn.: (toll-free) 1-800-922-1350 or call your nearest Macy's order number. Add 50c handling, just once on multiple orders. Add sales tax. Outside area, add 1.45. We regret, no COD's.



# Macy's

### STUDY PANEL SEES VICTORY OVER ILLS

#### Medical Group Says Power to Prevent or Control Disease Is in Offing

By HAROLD M. SCHMECK Jr.

WASHINGTON, April 28—Science has at last reached the stage at which the capacity to conquer human disease is within long-term reach, a top-level panel says in a report to be presented Friday to the President and Congress.

Quoting one of its own subpanels of expert advisers, the President's Biomedical Research Panel says that human beings have within reach the capacity to control or prevent human disease.

"Although this may seem an overly optimistic forecast," says the report, "it is, in fact, a realistic practical appraisal of the long-term future." The document says there do not appear to be any "impenetrable, incomprehensible diseases" any longer and that this, in itself, represents a major advance for biomedical science that has occurred only within the last 25 years.

The panel says it subscribes to this view of the future, but that much effort will be required to bring it to reality.

"The full realization of this vision will come only if the effort is steadfast, if support is stable, and if Congress, the executive branch and the American people exhibit both patience and perseverance," say the report.

The panel of seven men, most of them leading officers of major medical schools, was established through act of Congress almost two years ago to reveal the Federal effort in biomedical research and to recommend policy for the future. In its final report, due Friday, the panel says several things that are unlikely to be welcome to either the President or Congress.

It says, for example, that the President's Office of Management and Budget has made too many science policy decisions in recent years without strong scientific guidance.

The report describes as a myth the view that there is often undue delay in making the benefits of scientific discoveries available to the health care of the nation. One of the reasons Congress moved to establish the panel was to seek ways of overcoming that presumed lag.

Studying 25 different case histories of medical scientific innovation, the panel found no significant evidence of preventable delay between the time of completion of the scientific development and the time its applications were available to medical practice.

It said there were frequent and substantial delays between the first medical applications of the discovery and the widespread use of those applications by practicing physicians and also delays in acceptance of new technology by patients.

"This time lag is beyond the control of the research community," said the report.

The panel praised the accomplishments of the National Institutes of Health, the Federal Government's main agency for the conduct and support of biomedical research. It said more than 80 percent of medical research in universities and similar centers was supported by Federal funds. The main source of funding is the National Institutes of Health, which have now a total budget of \$2 billion.

The institutes also conduct a major in-house research program of their own in effort that the panel said should be maintained and protected. The report said the institutes had been increasingly unable to compete with outside institutions for highly skilled scientists and administrators because Federal salaries have been held down so severely.

It noted that because of quirks in the law there are 141 staff members of the National Cancer Institute who have higher salaries than the figure of somewhat more than \$37,000 a year that is the maximum that can be paid the director of that institute.

The panel said it supported the Congressional priority judgment that in 1971 led to a major expansion in the research effort against cancer. The report said the cancer program, administered by the National Cancer Institute, has served the nation's interest well. It said the special permanent three-member panel of advisers to the President on cancer should be expanded and given a comparable top advisory role for all of biomedical research.

The report was sharply critical of the tight research budgets of the National Institutes of Mental Health in recent years, saying that if inflation is taken into account that institute's research spending has declined by 40 percent over the last decade.

The report also said it would be unwise to give the National Institutes of Health major responsibilities for the delivery of health care and that the institutes' role in assisting regulatory agencies such as the Environmental Protection Agency and the Food and Drug Administration should be held within reasonable limits to avoid hampering the prime role of the institutes as the nation's major agencies for biomedical research.

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A NOVEL BY

# Patrick Anderson

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Connecticut  
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Handwritten text: 1/2/10/50





### Doubleday Book Shops

## Best Seller Guide

This week's best sellers of all publishers in Doubleday Book Shops coast to coast. April 29, 1976

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- 3. A MAN CALLED INTREPID: The Secret War, William Stevenson.....\$12.95
- 4. THE ROCKEFELLERS, Peter Collier and David Horowitz.....\$15.00
- 5. SPANDAU: The Secret Diaries, Albert Speer.....\$13.95
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## House Defeats Attempt to Limit Rise in 1977 Defense Spending

By EILEEN SHANAHAN  
Special to The New York Times

WASHINGTON, April 28 — The House of Representatives defeated today, by the decisive margin of 255 to 145, an attempt to limit the increase in defense spending authority for next year to \$9 billion, instead of the \$11 billion proposed by the Administration.

The action, coming on the heels of a similar decision by the Senate, appeared almost to insure that Congress will give President Ford nearly everything he has asked by way of funding for the military for the fiscal year 1977, which begins next Oct. 1.

The vote also implies a commitment by Congress to continue increases in military spending for several more years after the fiscal year 1977 because it provides money for long-term programs of production of relatively new weapons, such as the B-1 bomber.

The action by the House came as part of its consideration of this year's spring budget resolution, which sets targets for Government spending, both overall and by major category, and also estimates Federal tax collections and the deficit.

The House is expected to complete its work on the budget resolution tomorrow and the bill will then go to conference.

### F.D.A. Contends New Law Cuts Consumer Protection

WASHINGTON, April 28 (UPI) — The Food and Drug Administration says a bill signed into law by President Ford last week will result in less protection for the consumer.

The legislation, pushed by the health food industry, reduces the agency's control over sale of vitamins and minerals.

This will result in less consumer protection, it said, by preventing the F.D.A. from limiting the potency of vitamins and minerals in dietary supplements to nutritionally useful levels, classifying a vitamin or mineral preparation as a "drug" because it exceeds a nutritionally rational or useful potency, requiring the presence in dietary supplements of nutritionally essential vitamins and minerals, and prohibiting the inclusion in dietary supplements of useless ingredients with no nutritional value.

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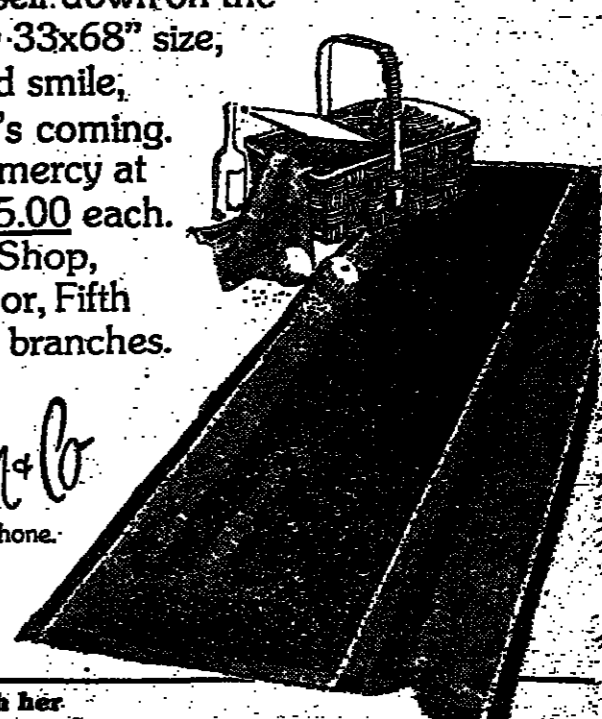
summer's coming.

By Gramercy at a sunny 15.00 each.

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B. Altman & Co.

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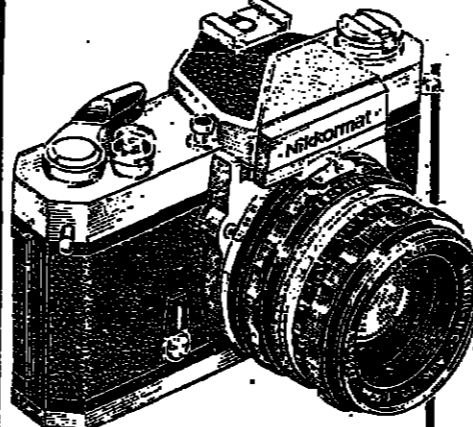
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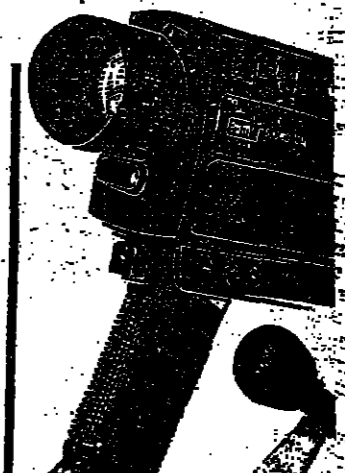
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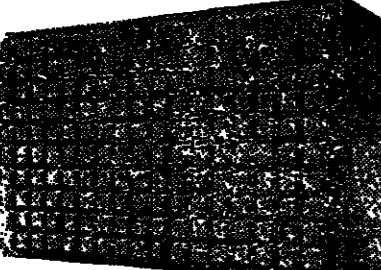
You'll discover that you've never heard music sound so majestic.

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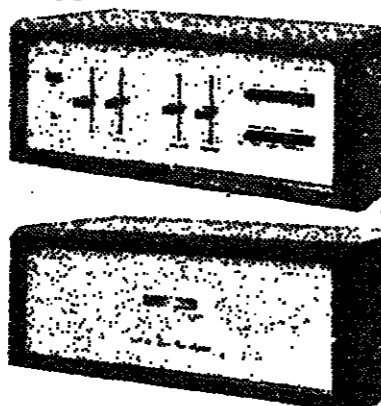
The purchase price of our featured system this week is paid back to you in years of enjoyment. And since shrewd people know a good deal when they see one, you'll appreciate the fact that the price of these components, together in a system is



substantially below what you'd have to pay for them separately.

You'll get two JBL "Studio Monitor" loudspeakers (included at the regular price of \$318 each). JBL L100 speakers put out more ear-pleasing sound than any other bookshelf-size speakers we know. Their 12-inch longthrow woofers are combined with front-mounted ducts

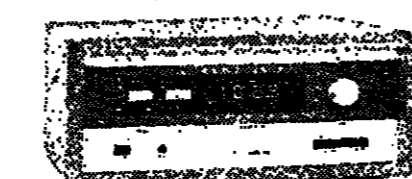
for toe-tingling bass response. Separate midrange drivers provide plenty of midrange "presence". And two level controls located beneath the acoustically-transparent sculptured foam grillcovers allow you to adjust the midrange presence, and high frequency brilliance, just the way you like to hear them.



Amplification in this system is amply provided by the SAE Mark XXXIB stereo power amplifier. It delivers 50 watts minimum RMS per channel into the 8 ohm JBL loudspeakers across the entire 20 to 20,000 Hz. range of audible sounds, with no more than 0.1% total harmonic distortion.

The SAE Mark XXX stereo pre-amplifier serves as an extremely flexible control center for this system. More importantly though, it adds virtually no distortion to the audio signal passing through it (total harmonic and intermodulation distortion never exceeds 0.03%).

With its digital readout (LED) tuning mechanism, the SAE Mark



VIII stereo FM tuner provides absolutely flawless tuning accuracy. A dual meter system assures both maximum signal strength and center-of-channel tuning.

No other turntable than the Technics SL-1300 would do justice to the other components. It has a low speed direct-drive servo controlled motor that permits reproduction of the musical material stored in records without adding distortion. The convenience features of the SL-1300 include automatic set-down and return, as well as a "Memo-Repeat" function that allows a record to be repeated up to five times before shut-off.



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Save \$289 on traditional...

Choice of 3 Traditional 5-pc. record...

الجمعة 12 أبريل 1976

# SHIP MATES

## STATION DEPT. IN PROFIT ROLE

Continued From Page 1, Col. 2

as independent contractor in an experiment to better deal for the city in repairs. A third in-shipment the long line city and dependence by-ark district supervisor perior so that he will take full control of his if be rewarded with a management improves. experiments and the tional but more-basic reating a management system for the Mayor lined by Beame admin- officials yesterday in a response to critics e contended that the so consumed by the pressures of the fis- that it was ignoring management crisis.

### Me Back Later

as denied by First Mayor John E. Zuccotti interview that, at one as interrupted by a call. believes, his necktie en, he listened briefly to the phone: "Is this is a crisis? No? Well, he later." He snapped back on its cradle smiling at the dem- of the current "cri- gement" technique city has in common other levels of

administration off- the job of introducing better in city man- ready is under way. the Mayor will send to all mayoral agen- ing them that they ing plans for setting five goals of their id methods of meas- sress toward these basic and vital in- ventually is to be- monthly and quarterly Mayor's office and st controls.

one as this process to a businessman, present a revolution. And if it comes ill not be felt imme- though new City changes, require the to be taken early

gram inventory does not have a entory now," one ve said describing current problem- ics determine pri- relatively little in- City Hall which is e old crisis basis, management, City be able to look at e where an agency to be on various ed check perform-

other executive ex- management system out not totally sup- management. In s view the public ct quick response from their politi- ot at the expense he wide variety of and fledgling cri-

e of the new sys- Administration of- ly have an exper- way—known as by objectives or the Highway and ents under which rs have been ac- ore localized pow- ement and budget-

ment, which frees ioners from much ocratic and budge- tion that is consid- e of city govern- cutives, began in the first quarterly soon. The Mayor show that greater e commissioners performance.

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Friday and Saturday...  
two big days to save  
storewide. Come see the  
great buys our Assistant  
Buyers discovered for you.

# GIMBELS

## Assistant Buyers' Days Sale

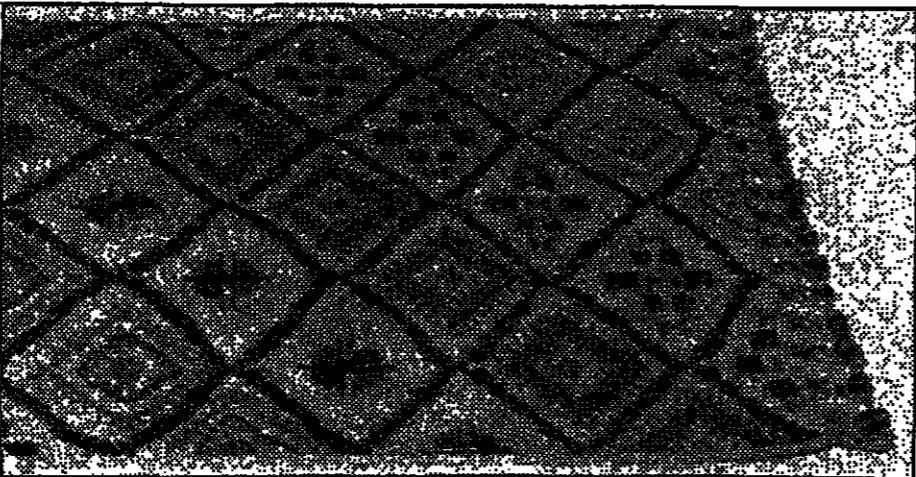
All Gimbel's stores open Friday 9:30am to 9:30pm.



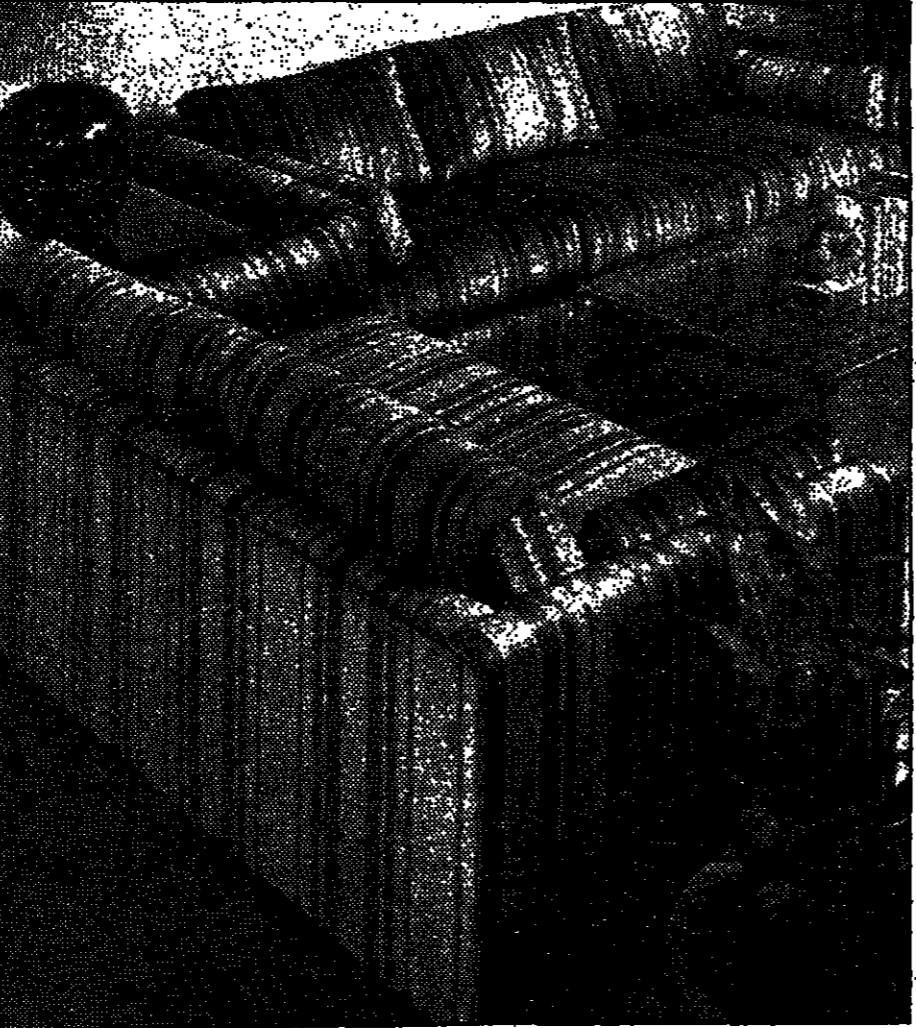
**\$599** Regularly \$720  
Save \$121 on 7-piece contemporary oak bedroom set. Superbly crafted in solid oak and oak veneers: triple dresser, twin mirrors, chest, pair of night stands, full or queen size headboard.



**\$299**  
Special purchase!  
5-piece apartment-size dining room  
In the traditional Italian style: pecan finished 40" round table with one 18" leaf and four cane back side chairs with upholstered seats. (Arm chairs available).

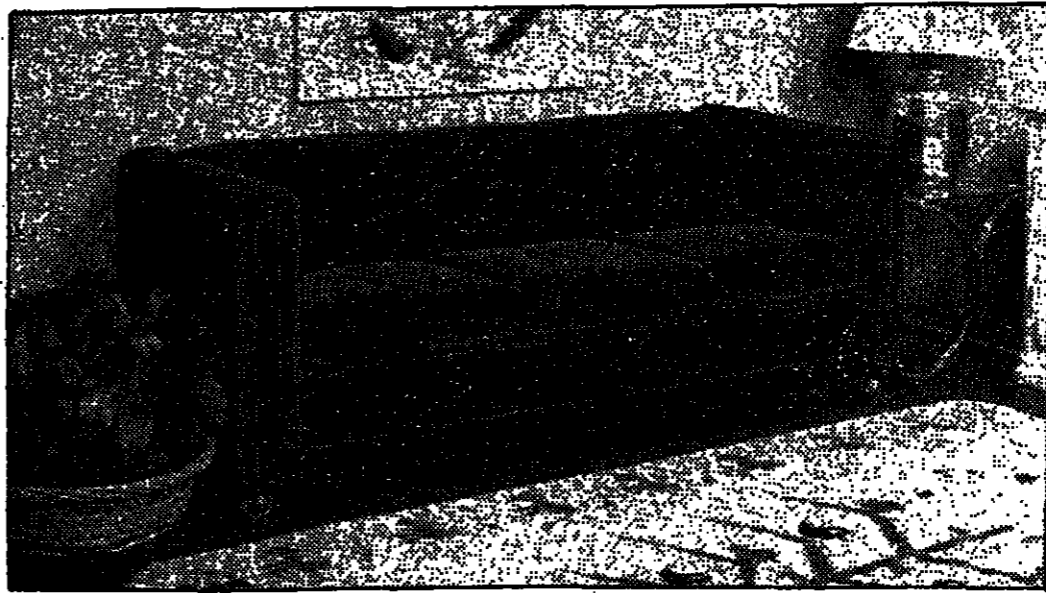
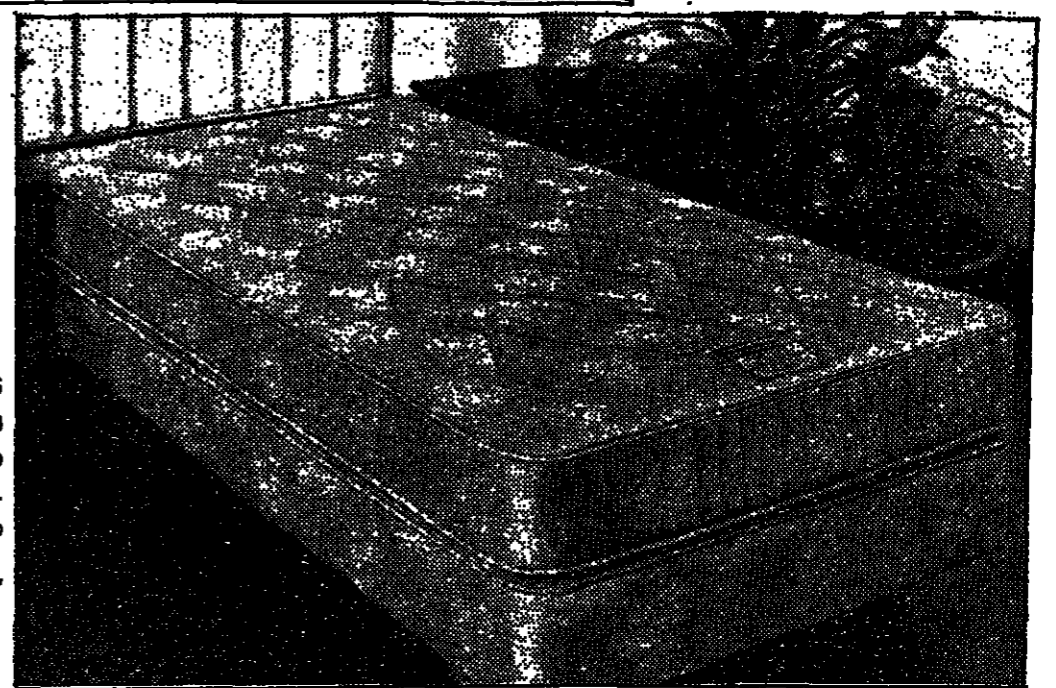


**\$275** 8'6"x11'6"; reg. \$550. 5'6"x8'6", reg. \$330...\$165  
Save 50% on handwoven wool India rugs in 2 sizes. Magnificent Moroccan designs in handwoven all wool pile rugs, hand dyed in natural earth tones. Sizes are approximate.



**\$599** 2 pieces. If purchased separately \$1315  
Save 54% on contemporary velvet sofa with loveseat. (from separate purchase prices)  
You get both: deep loose pillow back sofa with arm bolsters and the loveseat in a special group of plush striped cotton velvets. Some ready for immediate delivery.

twin mattress or **\$58**  
box spring  
Reg. \$90 each piece  
Save \$32 on quilted damask bedding by Stearns & Foster  
Multi-coil firmness with 40-lbs. of cotton felt upholstery, Insulo Spring Cushion, sag-resistant Seat Edges.  
Full size, reg. \$110, each piece \$78



**\$399**  
Regularly \$680  
Save \$281 on Stearns & Foster queen size velvet sofa bed  
Huge savings on the great comfort of this beautiful brown velvet sofa bed...with front ball casters, arm caps, extra firm innerspring bed.

Save \$289 on 6-piece traditional bedroom set.  
**\$499** Regularly \$789

Classics in fruitwood finish. Triple dresser, mirror, chest, two night stands, full, queen size headboard.

Save \$4 to \$9 sq. yd. select group of broadloom  
**10.99** sq. yd. installed. Reg. \$15 to \$20

Lees, Cabin Crafts, World and more. Quantities are limited. Installation, padding included.

Additional charge for installations under 17 sq. yds.

Save \$25 on contemporary ceramic brick table lamps  
**29.99** Regularly \$55

Brilliant glazed brick lamps, 27" tall. Clay tone with white pleated shade or terra cotta with beige shade.

Save \$50 on diamond-tufted man-sized recliner  
**\$89** Regularly \$139

Spacious traditional, 3-position comfort covered in scuff-resistant black or oxblood Naugahyde vinyl.

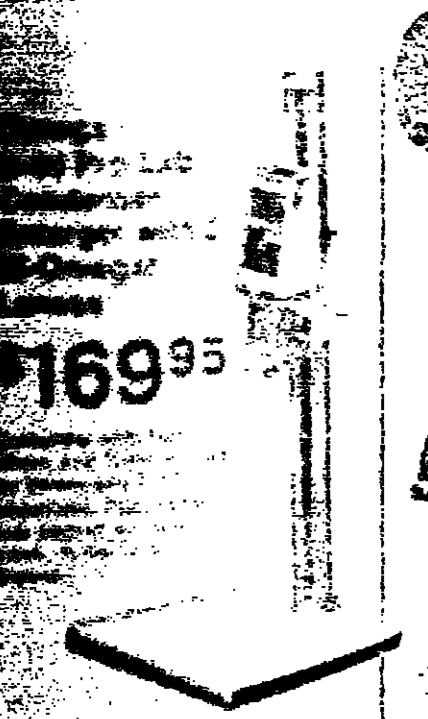
Choice of 3 traditional velvet lounge chairs. Regularly \$159 . **\$99**  
Traditional occasional tables, brass tone accents. Special . . . **\$89**  
5-pc. redwood picnic set: 70" table, 4 benches. Unassembled. **\$59**

3-pc. Colonial living room: sofa, chair, swivel rocker. If purch sep. \$737 . . . . . **\$399**  
9x12' Oriental design nylon pile rugs: 3 patterns. Regularly \$150 . . . . . **69.99**  
20 1/2x26 1/2" framed contemporary pictures, mirror background. Reg. \$35. . . **\$20**

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### City University Union Agrees To Forgo Increases in Salaries

By EMANUEL PERLMUTTER

A union representing 17,000 instructors and other professionals at the City University of New York announced a tentative contract settlement yesterday in which the workers agreed to forgo salary increases and to defer until July 1, 1978, two weeks' pay and nine months of increment payments.

The settlement is designed to save a total of \$14.7 million of the \$32 million in spring-semester savings that had been demanded by the city. Both Dr. Robert J. Kibbee, the university chancellor, and Irwin Polshook, the president of the Professional Staff Congress, expressed the hope that an additional \$20 million would be contributed by the city and state to help meet the deficit.

But Deputy Mayor John E. Zuccotti, immediately dashed any hope that the city would help make up the deficit.

**Union Praised**

"The union is to be lauded for not seeking any increases in their base salaries," he said, "but the city has no money to give the university. That's irreversible."

Under terms of the tentative two-year contract, there would be no implementation of the four weeks of projected payless furloughs for the instructional staff. This had been expected to save \$32 million.

The contract, which would be retroactive to Sept. 1, 1975, provides that two weeks of pay would be deferred over the next two months. In addition, increments ordinarily payable on Jan. 1, 1976, through Aug. 31, 1976, would be deferred until July 1, 1978. These increments, or job step-ups mandated under the old contract, range from \$600 to \$1,250 an employee.

The union and the university administration agreed to continue negotiations of questions of cost-of-living adjustments until June 15. If no agreement is reached by then, the issue would be submitted to a fact-finding panel.

The contract will be recommended by the negotiators for approval by the Board of Higher Education, the members of the Professional Staff Congress and the Emergency Financial Control Board.

The contract covers 12,400 full-time and 4,700 part-time instructors, counselors, librarians, laboratory technicians and other professionals.

**Welfare Benefits**

The pact provides for some improvements in September of welfare benefits, increased powers for arbitrators in procedural cases involving faculty reappointments and the establishment of eligibility lists for rehiring employees laid off as a result of the city's budget crisis.

The present base salaries that will remain in effect range from \$10,000 a year for less skilled professionals to \$33,475 for full professors.

In announcing the tentative settlement, Dr. Kibbee characterized it as "a statesmanlike proposal." Dr. Polshook said that the union had decided to forgo salary increases and to defer the other compensation in the interest of job security and the providing of continued services to the students.

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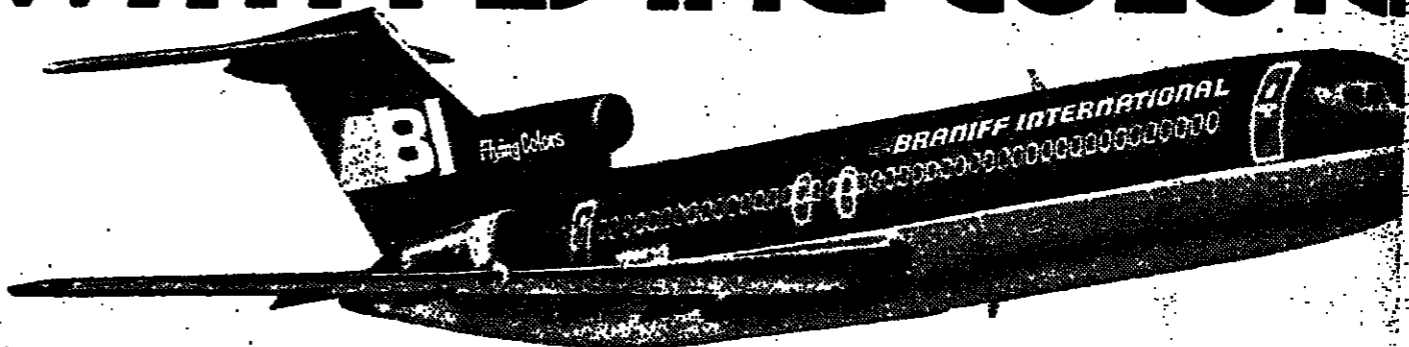
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DALLAS-FORT WORTH MOST NON-STOP	HOUSTON 12 DEPARTURES	SAN ANTONIO 13 DEPARTURES																																																																																																										
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### Carey Demands Revised Transit Pact

Continued From Page 1, Col. 2

taining that the matter was still in the hands of the Control Board.

"The union is disappointed at the Lefkowitz ruling," Mr. Guinan said. "We believe it is wrong. But in any event, it does not remove the responsibility from the Emergency Financial Control Board to act on our contract with the Transit Authority."

After the Governor spoke and said the board would send back the contract, a union spokesman said the union would stand on Mr. Guinan's statement.

John F. O'Donnell, counsel to the union, said: "If the authority asks to see us in a collective bargaining session, we would sit down with them. I don't see very much constructive coming out of it."

"My recommendation to the union would be to stand firm. The union is not going to make any changes in the cost-of-living allowance it negotiated, its members ratified and the Transit Authority approved."

The union's contract has been under fire from City Hall since before it was agreed to and from many other quarters since. It calls for the 34,000 hourly transit workers to receive no pay increase but a cost-of-living adjustment of 3.3 cents an hour for each one-point rise in the local Consumer Price Index.

**Broader Issue Involved**

City Hall argued from the beginning that such a package applied to the 240,000 city workers would wreck the city's three-year fiscal plan. Others, including the Transit Authority's board of directors, have asked the Control Board to tie the raises inextricably to productivity savings, which the contract did only in principle.

Mr. Lefkowitz's opinion was based on the broader argument that cost-of-living raises were illegal in any case.

He said the state's Emergency Financial Act mandated a freeze on wage increases, and he held that "the term 'wages' is generally interpreted to include all of the benefits, monetary or otherwise, which an employee derives from a master and servant relationship."

"Excluding cost-of-living adjustments from the wage freeze would provide a mechanism for circumventing any action by the Control Board to limit the city's increasing wage expenses," he said. "Obviously, such an interpretation would negate and contravene the objective of the Legislature in enacting the wage-freeze provision."

However, Mr. Lefkowitz noted that he was responding only to "the specific legal question" that the Control Board had raised on the legality of the cost-of-living provision.

**Beame Is Pleased**

He said that the board had wide discretionary powers, including the power "to certify whether an agreement in writing for a deferment of salary or wages or wage increase constitutes an acceptable and appropriate contribution toward alleviating the fiscal crisis of the city," which is permitted by the law.

Mr. Lefkowitz therefore left the door open for a deferred agreement that the union would sign to get part of the contractual raise.

David L. Yunich, chairman of the Transit Authority and its parent body, the Metropolitan Transportation Authority, said he wanted to review the Attorney General's opinion before commenting on it.

Mayor Beame, a member of the Control Board, was pleased by the opinion. Through a spokesman he said: "The Lefkowitz opinion confirms the city's own position on cost-of-living adjustments. The matter now will require review by the Emergency Financial Control Board to determine how the T.W.U. contract can be implemented under the law and within the framework of the financial plan."

Governor Carey made his remarks to reporters at a luncheon at the Commodore Hotel. He was asked whether he regretted the Control Board's refusal to get involved in the transit talks while the contract was being negotiated, and he answered:

"No. The Control Board was never intended to be a management body or a bargaining unit."

Asked whether he feared a strike on the eve of the Democratic Convention, he laughed and said, "There always is a danger of a strike," adding:

"These are new times, and many unions have come around to the view that they have to cooperate in an emergency situation. They have been cooperating."

**Plea Changed in Murder**

PRINCETON, N.J., April 28 (AP)—Joseph Malcolm Purifory, 30 years old, of Philadelphia, has entered plea of non-vult contumacia in the murder of an 83-year-old widow who was found dead in her Hopewell farmhouse last July. Mr. Purifory withdrew his original not guilty plea in the murder of Ethel Perry. The plea means that he does not wish to fight the charge. Mr. Purifory also pleaded guilty to breaking and entering, assault with intent to rob and larceny.



#### Olga is

softness knit into a two-tone gown with lace-edge bodice. Orange-beige or blue-beige, 20.00



#### midnight

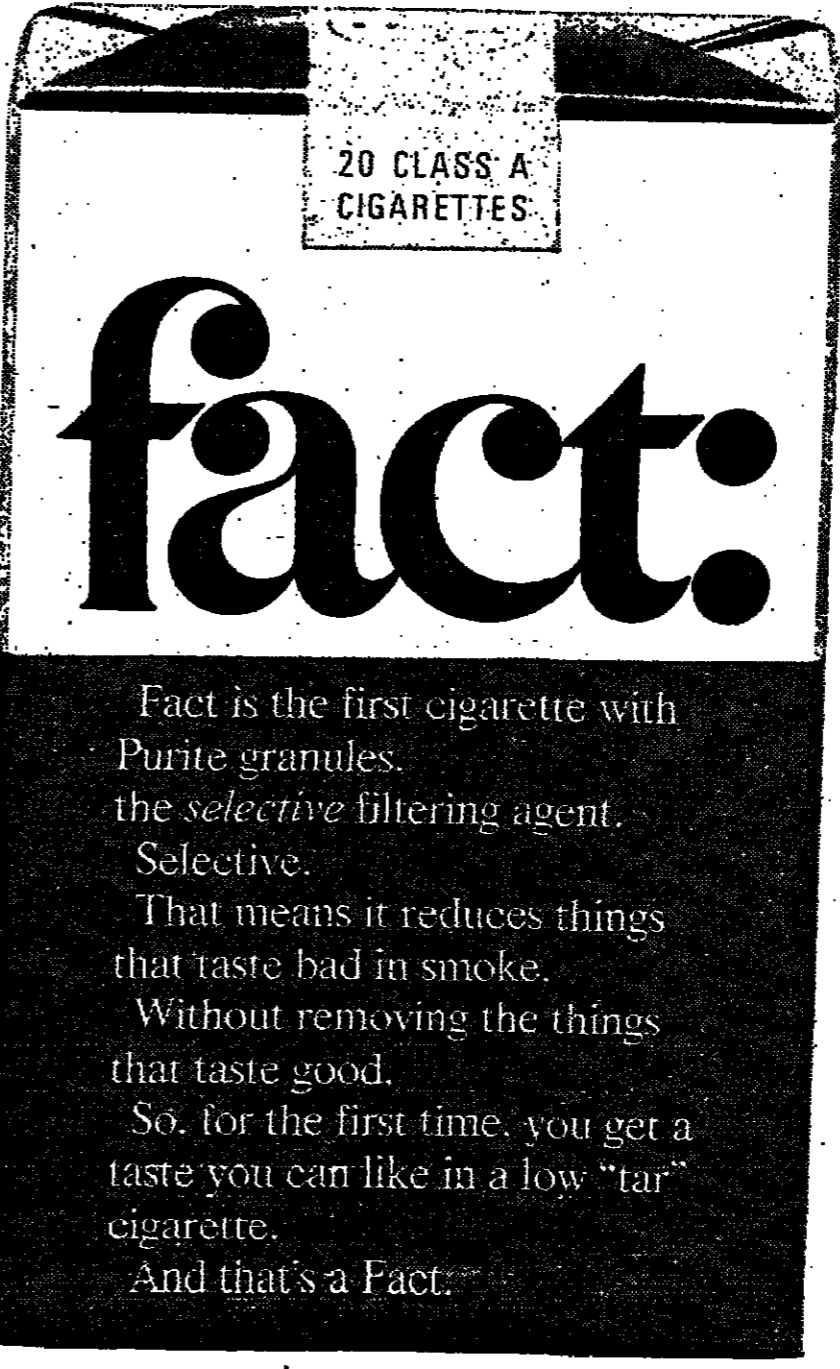
or midday could find you in Olga's knit gown. With T-shirt striped bodice and solid skirt, red-white or yellow-white, 18.00

#### sunshine

while you sleep—that's our Olga Empire knit of yellow-banded white or red-white, 22.00

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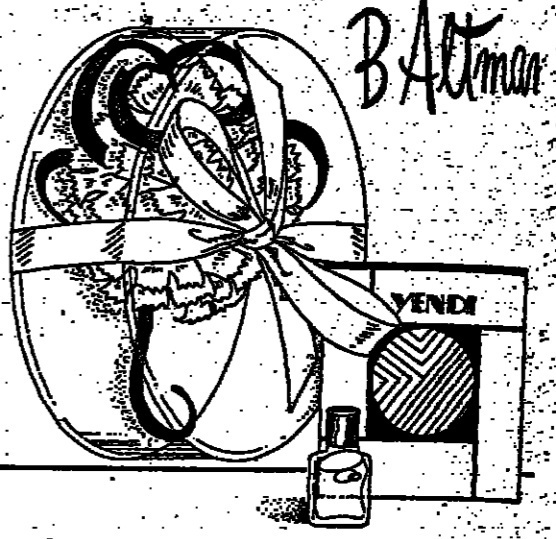
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1  
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### QUITIES CITED MEDICAID PAY

#### Concedes Municipal tals May Get Less

By DAVID BIRD  
 m McCann, assistant  
 doner of the State  
 department, said yester-  
 it was possible that  
 e, under its cost-based  
 yment system, was  
 ing voluntary hospitals  
 tes that were twice as  
 hose paid in municipal  
 for the same job.  
 McCann described the  
 to private and public  
 at a hearing called by  
 an Carter Burden, Mr.  
 the chairman of the  
 ncl's Health Commit-  
 ted that if municipal  
 ere treated equally  
 voluntary institutions,  
 id immediately gain  
 a \$200 million in pay-

Differences Cited  
 ay be entirely cor-  
 rrupted to Councilwo-  
 mander, "that the pay-  
 n administrator in a  
 ospital is twice as  
 of salaries at volun-  
 als was indicated by  
 Wolfe, head of the  
 health administra-  
 olumbia University's  
 Public Health, Dr.  
 that before coming  
 a last year he head-  
 rument of communi-  
 at a local voluntary  
 d was paid, with  
 fits, \$105,000 a year.  
 later identified the  
 the Long Island  
 side Medical Center  
 as the salary paid  
 sident of the city's  
 ospitals Corpora-  
 operates all of the  
 municipal hospitals, is

hospitals are reim-  
 rate of \$215 a pa-  
 velle voluntary hos-  
 high as \$360.

#### Is Urged Mayor Beame to 'Heart Bill'

ame said yesterday  
 ould urge Governor  
 to a bill that would  
 y allow police offi-  
 cers to retire on  
 ers pay for heart  
 the presumption that  
 was job-related.  
 ly, the law had to  
 ed every year.  
 ernor's top aides also  
 o ask that he veto  
 e, which received fi-  
 tive approval in the  
 fonda night.  
 Beame said: "We  
 be mandated. That's  
 a the city has."  
 the Mayor's Man-  
 advisory Committee  
 led that the Legisla-  
 tinue the yearly  
 f enacting the so-  
 rt bill" to save the

its passed the bill by  
 90 to 3, which indi-  
 cated votes to over-

#### IN QUARTER T IN 10 YEARS

GTON, April 28 (AP)  
 tivity in the United  
 e first three months  
 ll to its lowest level  
 st quarter in more  
 ears, the Labor De-  
 id today.  
 xecutary W. J. Usery  
 he first-quarter fig-  
 vidence that labor-  
 ot relations "are  
 ut grim."  
 artment said that in-  
 sulting from labor  
 opped to seven-hun-  
 ing time in the first  
 gainst 11 hundredths  
 nt in 1976, and was  
 t first-quarter rate

rlike activity is usual  
 the first quarter, all  
 sures of work stop-  
 pery — idleness, the  
 strikes and the num-  
 rkers involved — were  
 year than in any first  
 nce the early 1960s,  
 ment noted.  
 rked in the first-quar-  
 as were the current  
 the rubber industry,  
 out of municipal em-  
 n San Francisco and  
 t three-day nationwide  
 strike against the  
 industry.

ts Swiss School Bus  
 ZONA, Switzerland,  
 (AP)—A train hit a  
 us at an unguarded  
 near here today, kill-  
 ing driver and at least  
 e nine children aboard,  
 e said.



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- Twin...\$30
- Double/Queen...\$45
- King...\$55
- Standard case, pair...\$22
- King case, pair...\$24
- Blanket Cover:
- Twin...\$50
- Double...\$60
- Queen...\$75
- King...\$88
- Dual...\$88
- Ruffled Pillow Sham (French back):
- Standard...\$25
- King...\$28.50
- Pefficoat:
- Twin...\$50
- Double...\$60
- Queen...\$75
- King...\$88
- Dual...\$88
- Comforter, filled with summerweight Dacron® polyester fiberfill. Covering matches blanket cover and pefficoat.
- Twin...\$115
- Double...\$170
- King/Dual...\$220
- Breakfast and Neckroll Pillows: filled with feathers and down. Removable case, each 37.50
- Throw pillow, 16" square, filled with Dacron® polyester...\$28.50

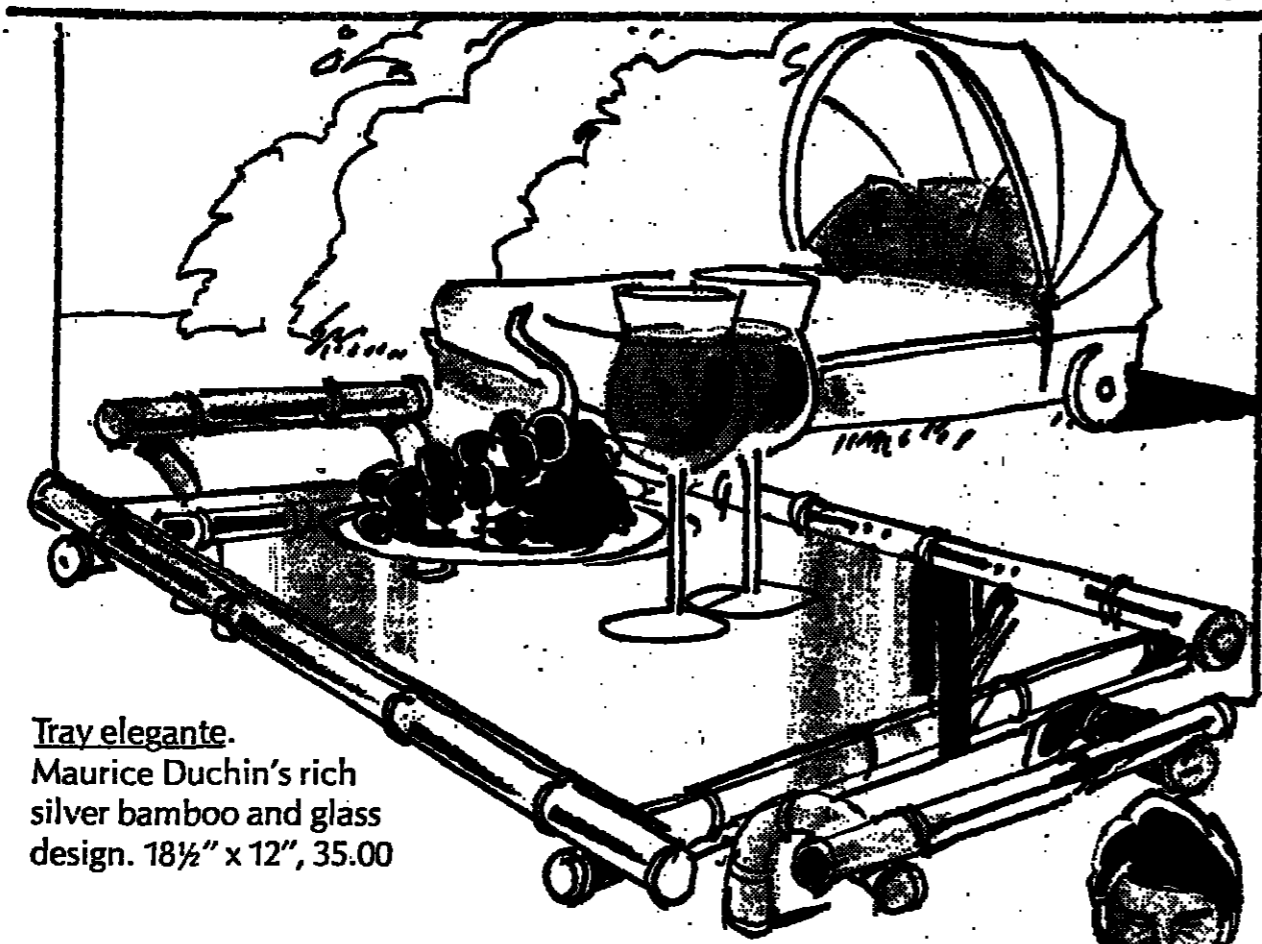
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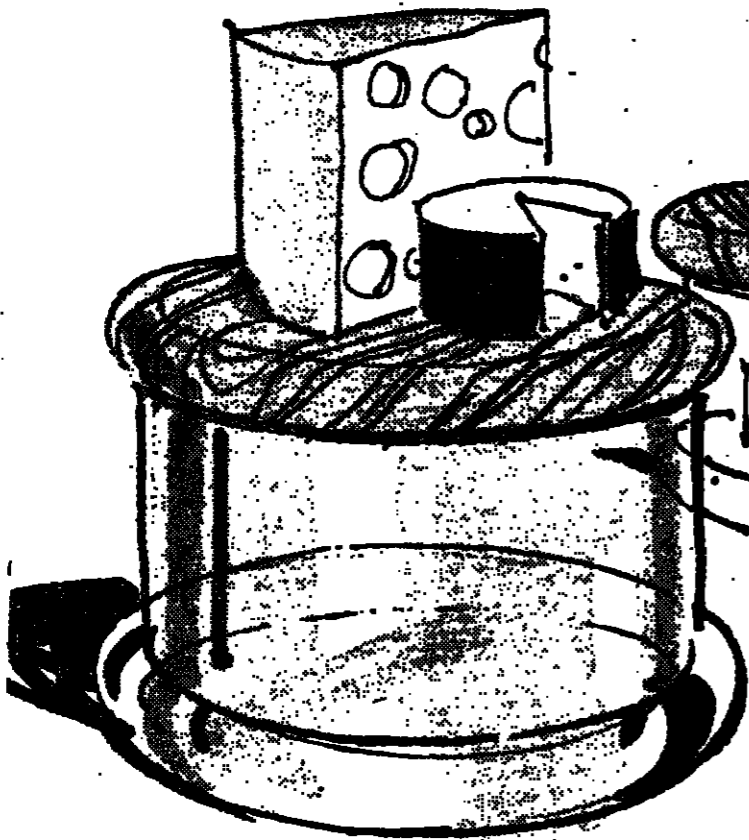
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**The Sommelier's classic opener.**  
Corkscrew open foil, then pulls out cork perfectly. In forged steel from Trident, 7.50

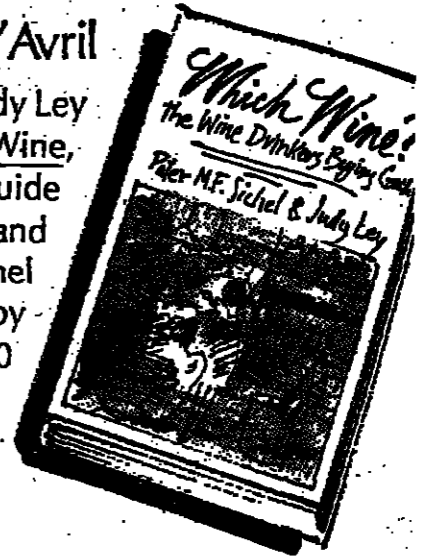
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Jeudi, 29 d'Avril

12:30 to 2:30 Oenologist Judy Ley autographs copies of *Which Wine, The Wine Drinkers Buying Guide* written by Judy Ley and Peter Sichel Published by Harper & Row, 10.00



2:00 to 3:00 Maurice Couilliot Gabriel Grisolle and Richar Militello, leaders of the Comité Interprofessionnel des Vins de Provence discuss Côtes de Provence wines  
Mary Ann Zimmerman, table setting expert extraordinaire, explores Entertaining à la Provence.  
Suzanne Urban and Gabriel Grisolle discuss the flowers of Provence.  
Côte de Provence wine and French cheese tastings.  
3:00 to 4:00 Peter Dunlop of Horticulture House tells you everything you ever wanted to know about growing and cooking with herbs.  
5:00 to 6:00 Côte de Provence Wine and French cheese tastings with Michel Bonnemort

Vendredi, 30 d'Avril

12:30 to 2:30 Judy Ley autographs copies of *Which Wine*  
2:00 to 3:00 Taste the wines and cheeses of Côte de Provence with Michel Bonnemort  
3:00 to 4:00 Peter Dunlop of Horticulture House on how to grow and cook with herbs.

Samedi, 1 de Mai

12:30 to 2:30 Judy Ley autographs copies of *Which Wine*  
2:00 to 3:00 Wine and cheese tastings with Michel Bonnemort  
Mary Ann Zimmerman discusses Entertaining à la Provence  
3:00 to 4:00 Peter Dunlop of Horticulture House

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### Another School District Rebels And Abandons Shortened Day

By LEONARD BUDER

Another Manhattan school district has directed its principals to restore regular school hours in defiance of the central Board of Education's policies.

The action, by the community school board for District 6, which covers the Washington Heights and Inwood sections, came as School Chancellor Irving Anker was still trying to bring schools in District 3 on the West Side into compliance with the systemwide edict on reduced school time.

In another matter, Mr. Anker superseded three community school districts—two in Queens and one in Manhattan—for failing to submit ethnic data about teachers and supervisors for a state survey.

The supersessions, which were limited to collecting the disputed data, involved District 1 on the Lower East Side and District 28, in Bayside and Douglaston, and District 29 covering Queens Village, Springfield Gardens and Hollis.

#### Ethnic Data Sought

Teams from central headquarters were expected to be sent into the three districts shortly to obtain the ethnic data.

Officials in the three districts have voiced concern that the ethnic data could result in discriminatory racial quotas for hiring and discharging school personnel. But Mr. Anker, in his letters of supersession, told the districts that their failure to submit the necessary data "jeopardizes the continued and timely receipt of Federal and or state aid to your district and to the city as a whole."

The development involving District 6 should prove more difficult for central authorities who, for the last two months, have been unsuccessfully trying to quell the community rebellion over reduced school time that has erupted in District 3.

Under a Board of Education measure adopted after the teachers' strike last fall, city elementary and junior high schools are supposed to dismiss pupils at 2:15 P.M., instead of the usual 3 P.M., two days each week. Most local boards object-

ed to the measure but, after losing a court effort to overturn the policy, went along with the shortened time under strong pressure from Chancellor Anker.

However, District 3 held out and on Monday, when classes resumed following the spring recess, eight schools in the district—the largest number in recent weeks—kept their pupils for the additional 45 minutes until 3 P.M. Most of these schools had been the scene of parent demonstrations, including sit-ins, in favor of the full school days.

In the only new initiative involving the District 3 dispute yesterday, State Senator Albert H. Blumenthal, Democrat of Manhattan, said he had been told by the central board that his request for outside fact-finding in the dispute had been turned down. He said that he would now ask the State Education Commissioner, Ewald B. Nyquist, to look into the matter and that he would make the request today.

#### Action Promised

Asked about the District 6 matter, a headquarters spokesman, Robert H. Terts, said that Chancellor Anker intended to take "all appropriate legal means to carry out the Board of Education's policies."

Dr. Paul Treatment, the superintendent of District 6, said that the local board had authorized a return to the full school day in the district's 11 elementary schools as soon as feasible.

He said that the district planned to use money saved in its budget to hire 45 additional teachers to make possible the additional instructional time.

Under the central board's agreement with the teachers' union, the restoration of the two 45-minute class periods for pupils has to be coupled with the return of two 45-minute free periods for teachers that had been eliminated in the new teacher contract.

Dr. Treatment said that it might take two or three weeks for the district to hire all the necessary teachers to fully implement the 9-to-3 school day.

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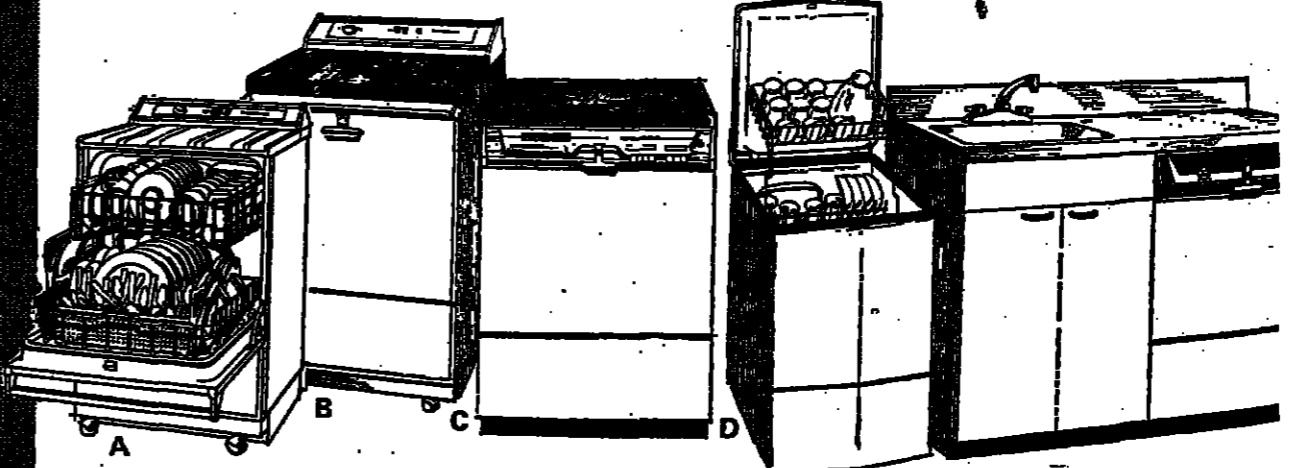


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# Victory in Primary Leaves Vaunted Democratic Machine in Pennsylvania in State of Disrepair

**JAMES T. WOOTEN**  
 PHILADELPHIA, April 28—Jimmy Carter headed toward home today, his seventh Presidential victory of the year, he said, as the vaunted and political machinery of the Democratic Party in Pennsylvania's traditional east-west confrontation in November. He will oppose Representative William J. Green, the Philadelphia politician who easily defeated State Senator Jeanette Reisman yesterday, to win the Democratic nomination. Both men will be seeking the seat now held by Hugh Scott, the 78-year-old Senate minority leader, who decided not to run again after it was disclosed that he had accepted cash con-

tributions from the Gulf Oil Corporation. Here in Philadelphia, Democratic voters nominated Representative William A. Barret for a 12th term, even though the 75-year-old incumbent died on April 12. The city's Democratic executive committee will appoint a successor. A protégé of Mayor Frank L. Rizzo's forces, State Representative Michael Meyer, is expected to be chosen.

**Very Close Contest**  
 In another Congressional race in Philadelphia, Representative Robert N. C. Nix, the only black member of the state's delegation, apparently survived a substantial challenge from the Rev. William H. Gray 3d, pastor of a large black congregation. Fewer than 500 votes separated the two men this morning when Representative Nix, endorsed by Mayor Rizzo, claimed victory. It was the first time in his 18-year career that he had faced serious opposition. Mr. Gray said he would demand a recount.

Four Republicans, including Representative Heinz and two Democrats, including Representative Green, did not seek new terms in the House this year, leaving seven Republicans and a dozen Democrats running for re-election. All except Representative Nix were definite winners. Representative Heinz spent

more than \$500,000 on his primary campaign, most of it his own money, more than three times as much as that spent by either Mr. Specter or Mr. Packard.

**A Surprising Result**  
 The general election senatorial contest between Representative Heinz and Representative Green is seen by many astute politicians here as a classic example of the antipathies that exist between the eastern and western portions of the state—a geographic division that often translates itself into political ideologies and candidate preferences. That was certainly the case yesterday in Mr. Carter's sur-

prising demolition of the labor-endorsed and organization-backed candidacy of Senator Henry M. Jackson of Washington.

The former Governor of Georgia lost only in Philadelphia and in Montgomery County, a suburb of Philadelphia. Elsewhere he was a clear and decisive winner, especially west of the Allegheny Mountains, where that intersects the state about half way across.

His victory provided not only an inestimable lift for the Georgia's candidacy, but it also shattered previous myths about the invincibility of a candidate who has the support of the traditional power blocs in

the state—as Senator Jackson re-election of Senator Richard S. Schweiker, a Republican running in a heavily Democratic state. After winning with a substantial margin in November 1974, Senator Schweiker credited labor with the difference. But neither labor nor the organizational machinery was especially passionate about Senator Jackson's candidacy, and many of the leaders openly spoke of their devotion to Senator Hubert H. Humphrey of Minnesota, who has not declared his candidacy. Given that lack of enthusiasm and the late start the organizations made in their efforts for Senator Jackson, it was almost no contest.

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## Food Stamp Aid by Senate Panel

**WASHINGTON, April 28—** Senate Agriculture Subcommittees today gave the food program \$400 million more through Sept. 30.

action was taken by Senator Hubert H. Humphrey, Democrat of Minnesota, who estimated that the program would run out before the new fiscal year begins Oct. 1, unless a supplemental appropriation was made. The administration has not more money, say, improvements in the program should make additional appropriations unnecessary.

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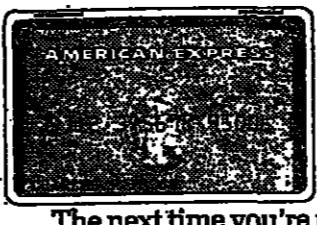
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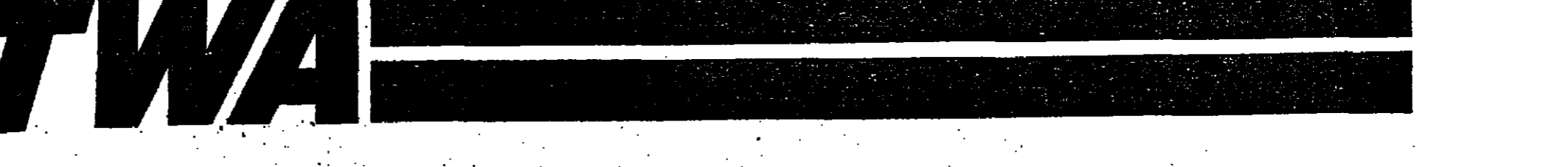


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# Carter, in Unity Bid, Seeks Humphrey Endorsement

By CHRISTOPHER LYDON  
Special to The New York Times

PHILADELPHIA, April 28 — Jimmy Carter today offered Senator Hubert H. Humphrey of Minnesota not an armored gauntlet but a velvet glove. No endorsement would mean more to him, the former Georgia Governor said as he departed the Pennsylvania battlefield in triumph than that of the 64-year-old Mr. Humphrey, the "elderly statesman," as Mr. Carter recently called him, whom many Democrats view as the last rallying point for opposition to Mr. Carter's Presidential nomination.

"I would like very much to have Senator Humphrey's endorsement," Mr. Carter said at a news conference here this morning. After seven victories in the first nine primaries, Mr. Carter said that his major effort in the next phase of the campaign would be not simply to extend his record of successes but to present himself as a strong leader of a united party in the fall.

**Cool to Other Endorsements**  
At the same time he spoke almost scornfully of endorsements from his one-time colleagues among the Democratic governors. He was equally cavalier about formally establishing warmer relations with the leaders of organized labor who had sought in vain to slow his progress in the Pennsylvania primary.

"I feel very good about my relationship with organized labor," Mr. Carter said, noting reports of voter surveys that he had run strongly in Pennsylvania among the families of rank-and-file union members. Mr. Carter said he had "no specific plan to get together" with George Meany, president of the American Federation of Labor and Congress of Industrial Organizations, or with Alexander E. Barkan, Mr. Meany's political lieutenant and for nearly two years an enemy of Mr. Carter.

Asked about peace talks with the Democratic governors, Mr. Carter said: "I just can't make myself elevate that sort of thing to a level of importance. I've never asked anyone for an endorsement."

Mr. Humphrey, however, was another category, all by himself. "I would like to have Senator Humphrey's endorsement," Mr. Carter repeated, "but I think that's the only one that's significant."

Before today Mr. Carter had often said that Mr. Humphrey would not be a factor in the nomination battle, whether or not the Minnesota entered the final primaries or held back in the hope that a deadlocked con-

vention might turn to him. In that sense, Mr. Carter's appeal today for what might be a clinching endorsement from Mr. Humphrey seemed to mark a small shift in Mr. Carter's thinking.

At the same time, the conciliatory overture this morning represented the gentle side of a familiar dual strategy, alternately flattering and menacing, that Mr. Carter has been using with Mr. Humphrey for months. In Newark yesterday, in what was clearly intended as a warning to the backers of Mr. Humphrey's undeclared candidacy, Mr. Carter said, "I think our party might be committing political suicide if we didn't let the people's will be expressed at the convention."

**Cites Humphrey Record**  
Mr. Carter frequently recalls that Mr. Humphrey has been running for President since 1960 and that he only won the nomination in 1968 from a "brokered" convention, after avoiding the primaries, and lost the fall election to Richard M. Nixon.

Underlining the parallels with 1976, Mr. Carter remarked here last week that while he greatly admired Mr. Humphrey, "if I should go through a convention and nominate someone who has not participated in the Democratic primaries and caucus states, we would be saddling the Democratic Party with a severe political handicap."

Mr. Humphrey, weighing his alternatives in Washington today with only 24 hours left to enter his name as a candidate in the New Jersey primary on June 8, could not be reached for comment on Mr. Carter's invitation to support him.

Mr. Carter looked weary this morning after the most important of his victories. In analyzing his situation for reporters, he seemed determined not to gloss or to exaggerate his progress. His staff projects that he has won only 28 percent of the convention delegates chosen so far. A total of 1,505 convention votes are needed to nominate, and Carter aides say they can safely claim or project 415 for their candidate so far.

Looking ahead through the remaining primaries and caucuses, Hamilton Jordan, the Carter campaign manager, said today, "I am confidently forecasting 1,000 delegates committed to the Georgian by the end of the primary season on June 8. But that leaves a third of the winning combination still to be won in the five weeks before the convention opens in Madison Square Garden in New York."

# Jackson's Defeat Viewed As Blow to Union Prestige

By WARREN WEAVER JR.  
Special to The New York Times

WASHINGTON, April 28 — The defeat of Senator Henry H. Jackson in the Pennsylvania Democratic primary yesterday was widely regarded to have dealt a body blow to the political prestige of the organized labor establishment, if not to its long-range power.

The state A.F.L.-C.I.O. had pledged its support to Senator Jackson and promised a massive get-out-the-vote drive, but little visible activity resulted and the Washington Democrat wound up second in the popularity contest and a weak third in the quest for delegates.

At the labor federation's national headquarters here, an official said that the national organization had been "neutral" in the primary, although it provided computerized membership lists to some of the individual unions that supported Senator Jackson.

The organization is committed to remain above the primary competition until the Democratic National Convention in July, and thus will not encourage or assist Senator Hubert H. Humphrey, the official said, despite what he called "a great deal of sentiment for Humphrey among the leaders." The Minnesota Democrat is not an active candidate for the nomination, but he has said he will accept a draft if the convention is deadlocked.

**"People Aren't Stupid"**  
"Pennsylvania just demonstrated that you can't beat somebody with nobody," one official remarked. "The real labor people went around saying, 'Vote for Jackson because we are really for Humphrey, and three months from now we'll be back telling you to vote for Carter. People are not that stupid.'"

A different Pennsylvania labor campaign, directed at sending union representatives to the Democratic convention irrespective of the candidate they favored, appears to have been modest success, although all delegates results have not yet been tabulated.

The Labor Coalition Clearinghouse, an arm of nine unions that backed Senator George McGovern of South Dakota in 1972, supported a broad range of delegate candidates, committed to Mr. Jackson, for Georgia Gov. Jimmy Carter of Georgia and Gov. Milton J. Eisenhower of Pennsylvania, as well as uncommitted delegate candi-

dates. The labor group elected at least 10 and perhaps 15 to 20 of its people.

As of late today, Senator Jackson had only 19 delegates, while Mr. Carter won 64 and Representative Morris K. Udall of Arizona had 22.

Some experienced union leaders cautioned that Mr. Jackson's poor showing in Pennsylvania could be attributed to the weakness of labor's candidate and the strength of Mr. Carter, as well as the inability of unions to deliver a solid vote.

"This should not be taken as living proof that the trade union movement doesn't have the ability to deliver for a candidate," said one union president who was not enthusiastic about Senator Jackson.

**"Positive Stand Wins"**  
"When we take a positive position in favor of anyone," he added, "the trade unions go very well. But when we take an antagonistic position against something—or the public perceives us in that light, as they did in Pennsylvania—then we don't do well at all."

The unions failed conspicuously to deter their members from supporting Mr. Carter, according to a poll taken by The New York Times and CBS News. Voters from union households split, 36 to 27, for Mr. Carter over Senator Jackson, while those from nonunion households divided 37 to 27.

**Neutral Policy**  
The Executive Council of the A.F.L.-C.I.O. voted last year to remain neutral in the Democratic primaries and reaffirmed that decision earlier this year. Only in 1968, when George Meany, president of the labor federation, backed Senator Humphrey after President Johnson withdrew from the race, was this policy altered.

In his most recent comments on the candidates two months ago, Mr. Meany identified Senator Humphrey as the Democrat he regarded as most electable, but said that all the others except Gov. George C. Wallace of Alabama were acceptable to him.

The next major test of the political clout of organized labor will come in the Michigan primary on May 18; substantial numbers of officials and members of the United Automobile Workers are expected to support Mr. Carter.



Arriving in Tyler, Tex., for a campaign speech, President Ford is welcomed by members of the Apache Belles, the drill team of Tyler Junior College. The Presidential primary in Texas will be held on Saturday.

# Humphrey May Attempt Limited Bid to Stop Carter

Continued From Page 1, Col. 3

executive who wants to form such a committee.

Mr. Short sought Mr. Humphrey's signature on a letter, required by the Federal Election Commission, that would authorize the committee. As the meeting dragged into the evening, the Senator sent word that he would have no decision tonight.

New Jersey Democrats continued to try to nudge Mr. Humphrey into the June 8 race there. Two prospective members of an uncommitted but pro-Humphrey slate, Mayor Kenneth A. Gibson of Newark and Representative Peter W. Rodino Jr., told the Senator privately that they would refuse to participate unless he was willing to campaign actively.

**Announcement Planned**  
The meeting in Mr. Humphrey's office ended just before 8 P.M. Max Kampelman, a longtime Humphrey adviser, said the Senator would have an announcement to make tomorrow but offered no hint about what the decision would be.

The last three men to leave the meeting were Thomas Kelm, to chief aide to Gov. Wendell R. Anderson of Minnesota; Joseph F. Crangle of Buffalo, the former state party chairman in New York; and Mr. Short.

"I will be decided tomorrow," Senator Humphrey said as he fled from camera crews and reporters who lined the hall outside his office. Then he chuckled and added, "It's mostly decided now, but tomorrow we'll tell you."

**Tally on Delegates**  
Many prominent Democrats said the former Vice President was moving too late, that the Pennsylvania primary had been the last chance to stop Mr. Carter, the Georgia peanut farmer who has astounded the political world this year.

Uncommitted delegates in several states are reported ready to break toward him as a result of Pennsylvania. An example is Virginia, in whose meetings on April 4 the party leadership's uncommitted slates stopped Mr. Carter.

**Carter Confident**  
Mr. Carter said he thought that Pennsylvania would be "the last gasp of any sort of organized stop-Jimmy Carter movement" and that it was unlikely he could be beaten. Asked in an interview whether

others were not so much Mr. Carter's victory but the dimensions of his victory. He carried 85 of 67 counties, all except Philadelphia and Montgomery in the Philadelphia suburbs. He defeated Mr. Jackson by 170,000 votes and by 12 percentage points, 37 to 25. And he did so against the opposition of the hierarchy of organized labor and the Democratic state organization.

In the separate contests for national convention delegates, the Georgian was equally awesome, destroying the hopes of Mr. Jackson that the stop-Carter coalition would win the delegate races if not the preferential vote.

With the tally still incomplete today, Mr. Carter had won 64 delegates to 22 for Representative Morris K. Udall of Arizona, who finished third in the preferential balloting: 19 for Mr. Shapp, who withdrew from the Presidential race weeks ago; three for Gov. George C. Wallace of Alabama and 46 uncommitted.

The Georgian seemed certain to get an even larger proportion of Pennsylvania's 178 votes on the first ballot in Madison Square Garden in July. A half-dozen or more of the uncommitted delegates chosen in Pittsburgh were members of slates allied with Mayor Peter Flaherty, a Carter backer.

Severe contests that had not been tabulated were in the Philadelphia suburbs, where Mr. Carter showed substantial strength. Mr. Camiel said he expected the Georgian to gain support of a majority of the pro-Shapp and uncommitted delegates elected in the Philadelphia area.

Mr. Jackson and Mr. Udall both vowed to remain in the race, but they were written off as meaningless contenders by Democratic politicians.

The Senator said he had made "a lot of mistakes," the most serious being his "failure to get our story across." He told reporters he would scale down his personal campaigning, apparently planning to spend more time in Washington and reach the voters through television.

An aide scoffed at those plans with the comment, "I think he's dreaming if he thinks he can raise the dough for that." Mr. Jackson has also run out of places to run. He has no campaign organizations in place for the May primaries.

As for Mr. Udall, he said at a Capitol Hill news conference that he would not withdraw,

despite four second places and a third in five outings, because he "would be to betray the people who support my campaign" and "who have a different view" of the world than Mr. Carter.

He plans to make two five-minute network television broadcasts tomorrow night and next Tuesday, hoping to raise enough money to finance major campaigns in Maryland and Michigan on May 18. He has not entered in Texas on Saturday or Indiana next Tuesday and will not campaign in Nebraska.

"I am not going to allow this party of mine to be stamped," Mr. Udall said.

But that is precisely what Mr. Carter now threatens to do. No longer faced with serious opposition from active candidates, his march through the remaining 21 primaries can only be harassed by the guerrilla attack of favorite sons and new candidates.

**Possible Opposition**  
Among them are Senator Lloyd M. Bentsen of Texas, who hopes to win his home state's primary; Senator Frank Church of Idaho, who will try to snatch the liberal mantle from Mr. Udall in Nebraska on May 11; and Gov. Edmund G. Brown Jr. of California, who opened his campaign in Maryland today and will focus on the June 8 California primary.

But reports from Texas, which will elect 130 Democratic delegates, indicated that Mr. Bentsen's effort had been badly weakened by Mr. Carter's Pennsylvania success.

"It's had a considerable impact here," said George Christian of Austin, one of Mr. Bentsen's managers. "I'd have to say it puts Carter into the lead in Texas."

# Ford Assails Reagan V On Defense as 'Simple'

By JAMES M. NAUGHTON  
Special to The New York Times

HOUSTON, April 28 — President Ford accused Ronald Reagan today of being so "simplistic" on national security matters that he might make "irresponsible and fundamentally harmful policy decisions" if elected President.

In a vigorous attempt to recapture the initiative on an issue central to the Republican Presidential primary Saturday in Texas, the President cautioned his party not to heed criticism of "a man who obviously has no experience and little understanding of the complexity of national defense matters."

Mr. Ford told an audience at Tyler Junior College in Tyler, Tex., that, if what he termed the former California Governor's "superficial" criticisms on defense matters were taken seriously, it would require that the United States mothball its carrier fleet, ground its bombers and scrap the Marine Corps.

Unlike most of his prepared addresses, in which he alludes to critics of defense policy without specifying Mr. Reagan as his target, the President made clear today that he was talking of "my opponent" in the possibly pivotal Texas primary. Mr. Ford continued to cast himself as the underdog in the contest.

"Somewhere between the snows of New Hampshire and the sunny skies down in Florida," the President said, referring to the early primary states, "the focus of this year's Republican campaign for the Presidency began to shift away from the growing strength and prosperity of the American economy to a new and more complex issue—the strength of America's military forces."

Mr. Ford said there was obvious reason for Mr. Reagan to "shift his attack" and added, "it's called second place. It makes you try harder—and swing wilder, too."

Reading his text with a dispassionate eye, the favorer of his words, Mr. Ford said that in contending the United States was becoming inferior militarily to the Soviet Union, Mr. Reagan "glibly quotes statistics without any in-depth understanding of them."

The President said that his rival was making a case, by implication, that American defenses should be reshaped so that they "mirror those of the Soviet Union."

More than half the Soviet naval fleet consists of small craft, Mr. Ford said, and matching the Russians thus would mean "mothballing" 13 American aircraft carriers—their own larger, more sophisticated ships with their awesome firepower.

The President made comparable statements about air and ground forces.

"Obviously my opponent is not foolish enough to seriously suggest that we should do away with our carriers, our B-52's, or the Marine Corps," Mr. Ford said. "The significant point to make is that simpli-

fic and superficial based on limited and experience can be irresponsible and totally harmful policy decisions."

In Fort Worth, addressed the Texas BAR Association at here at a rally tonight continued to plead world assure defenses were unimpaired.

"His concentration of focus issue suggested President had found the pleas of his strategists, who he had since late, "pre-empt" the des as one side put it Reagan could seek effect.

A Texas victory gain is crucial to it at's back of more early losses by lion's share of Reagan convention delegates and West.

The edge that M ceded in Texas to though he said in he was "closing in" by aides to dictated a more on Mr. Reagan's primary. Mr. Ford had broadly before the would not and that a dangerously nominee of the his speech today, explicit and sustain of Mr. Reagan on a "new" issue, and death decision national security. If decisions made a right ones. There takes in the Oval ness is not go Superficiality is enough. Every s for the Pres be equal to the the responsibility Reagan?"

**Regan Finds a Criticism of**  
ATLANTA, April 28 — Ronald Reagan said his warnings about defense position in let Ford to man's strengthening the missile system.

"Actually, I thi have the defense he requested re lions of dollars; made this positio gain," Mr. Rega news conference the day campaign gis.

**Criticism of**  
LOS ANGELES — Mr. Reagan said that Ford's foreign "peace through a five-minute talk sion address tonight "During the year Mr. Reagan said, I typed earlier this mention last shift the Union. Defeat one-way street. I Ford says he w the word any mo point to make is that simpli-

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# Brown Opens Drive In Maryland Race; Is Greeted by 3,000

By BEN A. FRANKLIN  
Special to The New York Times

BALTIMORE, April 28 — Gov. Edmund G. Brown Jr. of California opened his campaign in Maryland for the Democratic Presidential nomination tonight before crowds that rivaled in enthusiasm those that greeted John F. Kennedy when he campaigned in the state in 1960.

The 38-year-old California Governor, arriving at 4 P.M. to begin a three-day tour as a candidate in the state's May 18 primary, was met at the airport by 500 well-wishers, including Maryland's Governor, Marvin Mandel; Lt. Gov. Blair Lee; and Francis Burch, the State Attorney General, all Democrats.

What surprised the 24-hour-old Brown staff here—Mr. Brown's decision to campaign in the Maryland primary was made only yesterday was the large crowd that attended a reception at the Baltimore Hilton Hotel.

More than 3,000 people jammed a ballroom in the hotel and then, after the reception, lingered in the lobby to shake hands with the candidate. They detained him.

Governor Brown is to tour the Baltimore area tomorrow and the Maryland suburbs of Washington tomorrow night before visiting Maryland's rural eastern shore area Friday.

Washington tomorrow night before visiting Maryland's rural eastern shore area Friday.

# Udall to Continue His 'Uphill Fight'

By CHARLES MOHR  
Special to The New York Times

WASHINGTON, April 28 — Representative Morris K. Udall said today that he would continue his campaign for the Democratic Presidential nomination in spite of his weak third place finish in the Pennsylvania primary election.

But he conceded that his chances of remaining a plausible candidate rested on the public response to an appeal for financial support he will broadcast nationwide tomorrow and Tuesday nights.

The Arizona Congressman told a news conference here that "we've got an uphill fight" against Jimmy Carter, the former Governor of Georgia. Mr. Udall and Senator Henry M. Jackson of Washington in yesterday's Pennsylvania voting.

In the circumstances, Mr. Udall's statement seemed less a candid admission of reality than a refusal to make such an admission. And at times, the conference degenerated nearly to the level of bickering between Mr. Udall and skeptical journalists questioning him.

The tall, sandy-haired Mr. Udall said of Mr. Carter, "If you tell me he's the favorite, I agree. If you tell me I have no chance, I disagree."

After one argumentative exchange with a television journalist, Mr. Udall said, "Get your

# Jackson's Camp Wobbles After Pennsylvania

By DOUGLAS E. KNEELAND  
Special to The New York Times

WASHINGTON, April 28 — Senator Henry H. Jackson of Washington, who went into Pennsylvania three weeks ago after winning in New York with visions of delivering a crushing blow to Jimmy Carter's hopes for the Democratic Presidential nomination, returned here today with his own campaign in almost total disarray.

"We think Carter can be held below 1,000 delegates," Mr. Simon added, "but only if we do something fast. If he keeps building momentum, we will have very serious problems. That's why we need Hubert's signature, so we can start raising money, set up a staff and starting shoring things up."

If Mr. Humphrey was still wavering, his office staff apparently were but not his secretary's. She wore buttons that said, "Holding For Hubert."

While some staff members kept up a brave front and talked of renewed efforts in Indiana next Tuesday and in Michigan on May 18, others scoffed at the possibility of winning either of those states and openly wondered why Mr. Jackson did not simply call it quits.

**Vows to Keep Going**  
Asked as he departed from a Metroliner at Union Station shortly after noon if he was considering dropping out of the race, the 63-year-old Senator replied, "No, no, get that out of your head."

He said, as he had last night in conceding defeat in Pennsylvania, that he intended to give up such traditional campaign tactics as riding elephants and eating exotic foods in favor of an attempt to present more fully his views on the problem facing the nation and the world.

To do this, the Senator and his advisers have been discussing plans to rely most heavily on paid or free radio and television time, staging fewer rallies and other events and traveling much less while in the various primary states.

The purpose of this, they contend, is to demonstrate Senator Jackson's competence and the depth and breadth of his knowledge of government as a result of his 35 years of experience on Capitol Hill.

Assail Carter on Background. They maintain that Mr. Car-

Appeal Share and Humphrey  
Support in Sen  
Class. He's that kind

APRIL 28

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Ford Assaults  
On Defense of

### Contrast in Appeal Shown Carter and Humphrey

The contrast between the Carter and Humphrey followers appears both in terms of the demographic characteristics and the concerns of the voters. For example, Mr. Carter did exceedingly well among white Protestants (winning a little better than two of every five such voters in Pennsylvania), about equaling his 37 percent overall showing among Catholics and ran very poorly among Jews. The hypothetical Humphrey constituency, by contrast, tended to be proportionately less Protestant, but relatively more Jews and Catholics than did Mr. Carter's constituency.

Age also seemed to play a role. Democratic voters over 45 were very much more likely than younger ones to prefer Mr. Humphrey. Indeed, 70 percent of those over age 65 selected the Minnesota Senator, while only 39 percent of those under 30 chose him. For Mr. Carter, the age difference was not so dramatic, but he did somewhat better than average among those under 45.

Support by Union Voters Similarly, while Mr. Carter did equally well among voters from union and nonunion households, there was a dramatic difference in the Humphrey column: Union members were very much more favorable to him.

On issues, Mr. Carter did particularly well among those on the conservative side of most economic questions. He received half the votes of those who said the size of the Federal Government had influenced their vote, and he scored well also among those who cited welfare as a problem. Mr. Humphrey, meanwhile, was the preference of most of those who cited job guarantees as an important issue.

The contrast between the two men became apparent when the Times and CBS News asked Pennsylvania voters whether they preferred "a smaller government providing less services" or "a bigger government providing more services." Mr. Carter did well among those choosing the first alternative, while those selecting the latter were much more likely to prefer Mr. Humphrey. Aside from these issues, mostly revolving around the role of the central government

### How Various Groups Voted in Pennsylvania Primary

(Based on New York Times/CBS News Poll of 1,506 Voters)

Group	Carter	Jackson	Udall	Wallace	Others
<b>Occupation</b>					
Professional/Managerial	38	17	11	10	
White Collar	32	19	9	13	
Blue Collar	38	18	10	8	
<b>Age</b>					
18-29	38	24	9	8	
30-44	38	18	14	8	
45-64	36	17	11	8	
65 and over	34	17	11	8	3/4
<b>Religion (Whites only)</b>					
Protestant	44	15	14	9	
Catholic	37	14	12	9	
Jewish	14	23	2	12	
<b>Race</b>					
White	35	17	11	9	
Black	44	22	2	9	
<b>Region of Pennsylvania</b>					
East	26	22	17	8	
West	43	14	12	9	
<b>Union Membership</b>					
Union households	36	16	13	8	
Non-union households	37	21	18	7	

### Dropouts Mar Connecticut Caucuses

BY LAWRENCE FELLOWS  
Special to The New York Times  
HARTFORD, April 28—Caution and the complications of the system seemed to conspire last night to keep some of the Democratic Presidential candidates from getting their names on the ballots in all the towns in Connecticut for the Presidential voting on May 11.

Senator Henry M. Jackson's name in Shelton, Mayor Francis X. Kelley, left for vacation some time before last night's caucus, apparently forgetting that he was the official town moderator for the Senator from Washington, and that a Jackson slate could not officially be drawn up in Shelton without the moderator's presence.

The case was not an isolated one, not even in Mr. Jackson's camp. The moderator in Ashford dropped out, too.

"He let us know this morning he didn't want to moderate," said Edward L. Marcus, Senator Jackson's state coordinator. "As there had to be a caucus last night for each candidate in each of the 169 cities and towns in Connecticut in which the candidates want to contend, any word today about dropouts came too late."

**Gain For Jackson**  
The Jackson candidacy may have picked up some unexpected strength in Bridgeport, where Mayor John C. Mandanici, whose name is on the Jackson slate in that city, over the Bridgeport caucus last night for Jimmy Carter, former Governor of Georgia.

The meeting was marked by much shouting, and protests about the Carter slate compiled with Mayor Mandanici's help have already started pouring in to Democratic state headquarters.

Representative Morris K. Udall of Arizona lost his slate in Sterling when his moderator there decided she could not manage the caucus.

The slate in Stonington for Ellen McCormack of Long Island, the anti-abortion candidate, was saved when the moderator walked out last night and Mrs. McCormack's campaign workers put together a new slate with another moderator less than an hour before deadline.

The candidates who get less than 15 percent of the votes in a town lose their votes to the uncommitted slate. The others, on a basis of proportional representation, get to send delegates from their winning slates to the six district conventions on June 12.

After a roll-call vote in each of those conventions, another 15 percent is taken off the bottom for the uncommitted slate. Then the survivors caucus to decide who should be among the 51 delegates to the Democratic National Convention in New York in July.

### Tuesday Voting's Effects

Following are the latest tallies in the Democratic Presidential primary in Pennsylvania, the United States Senate races in that state and the convention delegate votes, in Pennsylvania and overall:

Pennsylvania Primary		Delegate Votes	
Carter	506,898 (37%)	Needed to nominate:	1,130
Jackson	337,060 (25%)	Pa.	Total
Udall	256,394 (19%)	Ford	0
Wallace	155,911 (11%)	Reagan	0
McCormack	39,303 (3%)	Uncommitted	103
Shapp	35,851 (3%)	<b>DEMOCRATS</b>	
Bayh	16,837 (1%)	Needed to nominate:	1,505
Harris	13,808 (1%)	Pa.	Total
<b>Senate Races</b>		Carter	64
<b>REPUBLICANS</b>		Jackson	19
Heinz	359,655 (38%)	Udall	22
Specter	330,091 (35%)	Wallace	3
Packard	161,425 (17%)	*Stevenson	0
<b>DEMOCRATS</b>		Humphrey	0
Green	746,462 (68%)	Shapp	17
Reibman	344,747 (32%)	Church	0
		McCormack	0
		Walker	0
		Bayh	0
		Uncommitted	46
		Undecided	7
		*Favorite son in Illinois.	

in domestic issues, there is little evidence that the vote in the actual primary was closely tied to the issues.

In a pattern seen in past primaries, Mr. Carter got about the same level of support among those on both sides of most questions, including détente, job guarantees, military spending and racial issues.

On the whole, rather, the poll suggested that the Carter victory was more a product of weak opposition.

Two important issues that did not appear to be decisive in Pennsylvania were foreign policy and the controversy over Mr. Carter's use of the term "ethnic purity" in connection with the integration of urban neighborhoods.

While Mr. Jackson did well among those who opposed détente with the Soviet Union and Mr. Udall among those wanting to reduce military spending, only a small fraction of voters listed these issues as important.

When Mr. Carter, Mr. Jackson and Mr. Udall faced off last night in New York State, the Times/CBS News poll found that Mr. Carter had won the support of about half of the blacks. In Pennsylvania, his black support slipped slightly to 44 percent, possibly because of the controversy and because Mr. Udall made a more active appeal for the black vote.

Voters were asked in the survey whether they felt the Government should "see to it that more white neighborhoods have housing available for blacks and other minorities." Mr. Carter won about the same vote, 36 and 37 percent, respectively, among those who agreed and those who disagreed.

Further, even the 17 percent who said they had been directly influenced by the ethnic

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You were born on June 13, 1947. What will be your biorhythm condition on July 4, 1976?

**Step I**

YEAR	MONTH	DAY	READ-OUT
Punch in: 76	DATE 7	DATE 4	76.07.04-0
Punch in: 47	DATE 6	DATE 13	-12.03.22-

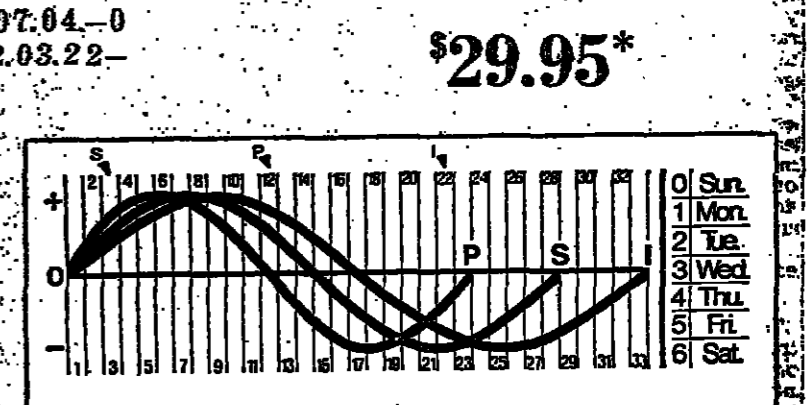
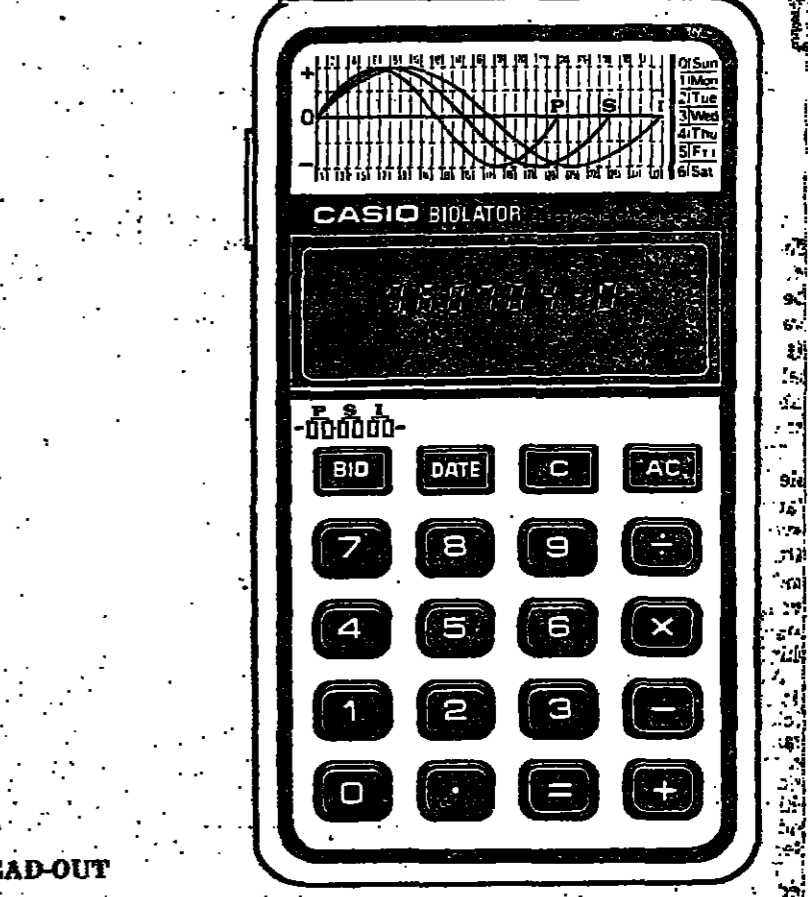
Your guide numbers are:

Physical	12
Sensitivity (Emotional)	3
Intellectual	22

**Step II**  
Locate these guide numbers on the BIOLATOR graph.

**Step III**  
Check your condition for July 4, 1976 from the table shown on the right, according to the biorhythm life cycle theory.

Your physical number is 12 which turns out to be a critical day in which you should exercise caution.  
Your sensitivity number is 3—a harmonious day for social relationships.  
Your intellectual number is 22—no day for decisions.

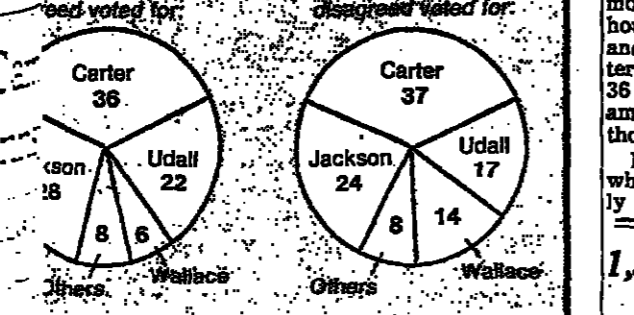
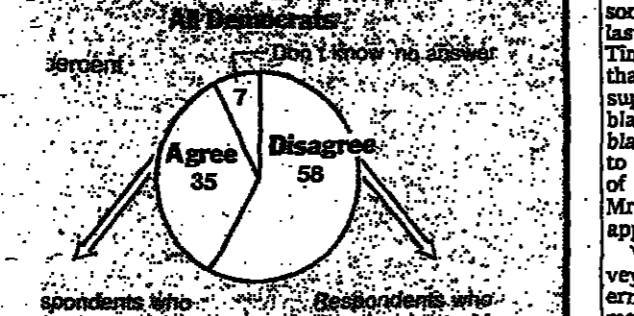


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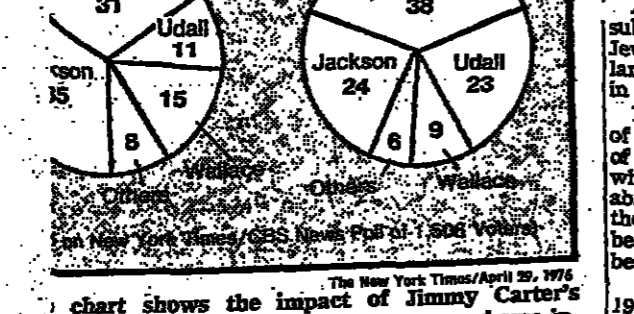
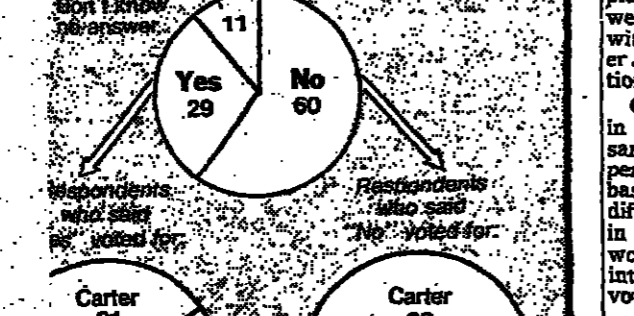
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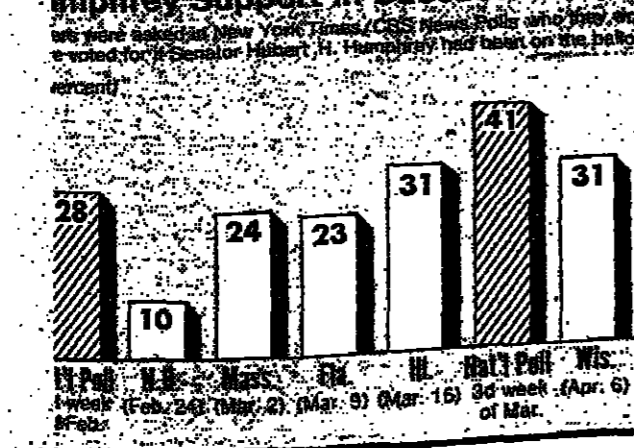
### Government's role in education



### Union of Mayor Frank Rizzo's favorable



### Chart shows the impact of Jimmy Carter's purity comment and the bottom one shows in on voters of Mayor Frank Rizzo's backing of Senator Henry M. Jackson.



### 1,506 VOTERS POLLED BY TIMES AND CBS

The New York Times and CBS News polled 1,506 Democratic voters in Pennsylvania Tuesday as they left the polling places. Thirty voting precincts were chosen in the state, and within each precinct, each voter had an equal chance of selection.

One possible source of error in a survey such as this is sampling error. There is a 95 percent certainty that results based upon the entire sample differ by no more than 3 points, in either direction, from what would have been obtained by interviewing all Democratic voters in Pennsylvania.

Also, the margin of error for subgroups, such as blacks, Jews, and union members, is larger since the number polled in each group is smaller.

However, as in any survey of public opinion, this margin of error is undoubtedly somewhat larger because of unavoidable imperfections in the way the survey was conducted, and because some voters refused to be interviewed.

Assisting The Times in its 1976 election survey coverage is Prof. Gary R. Orren of Harvard University.

The New York Times/April 29, 1976

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### LeFrak Says He Will Cut New York City Operation

By JOSEPH P. FRIED

Citing an unfavorable "political and economic climate" for builders and owners in New York City, Samuel J. LeFrak, the city's biggest private landlord, said yesterday that his organization was "planning" its activities in this city.

This means, he said, that his organization will not undertake new construction and rehabilitation projects he was already committed to, and that he planned to transfer the LeFrak Organization's main offices to Los Angeles over the next few years.

As for his existing holdings in New York City—which he said included apartment houses and complexes with a total of 55,000 apartments—"we may decide to go into a selling program when the market improves."

Refers to Final "Straw"

Mr. LeFrak cited such factors as high taxes and rent control, but the "straw that broke the camel's back," he said, was a new dispute between him and the Beame administration over the city's proposed use of tens of millions of dollars in anticipated Federal housing subsidies.

It is a dispute, simmering since last week, in which Mr. LeFrak has charged that the Beame administration has "broken faith" on commitments made to him by the Mayor.

In an angry retort late yesterday, Mayor Beame denounced Mr. LeFrak for "insensitive and grossly misleading statements," and asserted that "this city has been good to Mr. LeFrak" and had "provided him with a substantial livelihood in

a climate of cooperation and accommodation."

The Mayor concluded: "If Mr. LeFrak wishes to operate outside this great city, that is his privilege. It is our privilege to bid him farewell."

Yesterday's exchange marks the latest development over an issue that goes far beyond the dispute between Mr. LeFrak and the Beame administration.

The basic question involves how limited Federal housing subsidies are to be apportioned at a time when both public housing and privately owned housing are in deep trouble because of inflation, and because of the growing inability of poor and middle-income families to pay the rents needed to run and maintain sound housing.

The issue is complicated by the city's own financial crisis.

The money involved

The Federal rent subsidies involved are about to be allocated for expenditure in New York City. As much as \$40 million a year would be given in varying amounts, to about 10,000 poor and moderate-income families to help them pay their rent.

The Beame administration has proposed that more than 30 percent of the funds be used for tenants in certain public housing projects, thus permitting the city to reduce its own contribution toward meeting the growing deficits in these projects.

City officials hold that their proposal would be legal, so long as the Federal Government would waive certain regulations.

A city request for such a



Samuel J. LeFrak in his Manhattan office yesterday.

### Mrs. Hills Says Suburban Will See Housing N

WASHINGTON, April 28 (AP)—Mrs. A. Hills, Secretary of Housing and Urban Development, says that local communities will see a need to supply low-income housing for the poor outside of city slums without the Government's forcing it on them.

She said in an interview yesterday that current Federal incentives in the form of money for low-income housing and community development projects were adequate to encourage suburbs to provide housing for low-income workers who need to follow jobs to the suburbs.

Mrs. Hills' comments came a week after the Supreme Court ruled in a case involving low-income housing in Chicago that a Federal court has the authority to order metropolitan-wide public housing programs for Chicago and that her department could be ordered "to foster projects located in white areas" as a cure for the city's past complicity in discrimination.

Role of Suburbs Vital

Civil rights advocates have said that the significance of the decision will be determined by the housing department's willingness to disperse concentrations of low-income and segregated public housing, situated mostly in central cities, that have become generally poorer and blacker as people and businesses move to the suburbs.

Mrs. Hills said she did not know what the district court would do in Chicago or what the full repercussions of the Supreme Court decision would be there, where her agency and the local housing authority were to draw up a new housing plan, but she said that, as far as the national impact was concerned, "I think Federal policy has caught up to the spirit of the Court decision."

Mrs. Hills said that the suburbs receiving the benefits of the shifts must shoulder the burden of housing who were attracted to central cities.

The Federal housing department has two programs affecting housing.

One involves money spent last year on comprehensive community grants to replace categorical grants to cities urban and other programs.

The community grants can generate the recipients who are some conditions. For example, they are required to provide plans for meeting needs for both tenants and owners.

The community grants provide low-income housing in the Chicago case, it is thought that community did not want to go to the ruling district court for the Federal ruling.

"But I think the cities do want to meet the needs," Mrs. Hills said. "We aren't going to let the community off its responsibility for the low-income housing."

Support of Fed

WASHINGTON (UPI)—Mrs. A. Hills, Secretary of Housing and Urban Development, said yesterday that the House bill, which would extend Federal low-income housing programs, there three-year, \$25 billion for housing for the handicapped.

Mrs. Hills is of the bill's heavy reduction of the Federal role in the shifts must shoulder the burden of housing who were attracted to central cities.

### Issue and Debate

### Construction, Corruption and Delays

By CARTER B. HORSLEY

The bureaucratic tangle that ensnares the construction industry in New York City confounds the uninitiated and infuriates the veteran developer.

A builder must have stamps to meet the myriad departmental requirements and obtain the necessary permits, approvals and certifications. And nowhere is his patience more tried than in the area of building inspections. Delays can cost the developer of a major project thousands of dollars a day.

To speed the process, payoffs are not uncommon. Until a builder obtains his certificate of occupancy, for example, he cannot replace his high-interest construction financing with cheaper, long-term loans, and his property cannot begin to yield income. Full-time professional "expeditors" nurse plans and projects through the red tape, but frustrated builders often feel their efforts are not enough.

To attack the corruption problem in the building industry, the city administration has proposed a bill that would significantly alter the inspection system by requiring developers of major projects to hire registered architects or engineers to certify compliance with the building code. Such certifications would be subject to spotchecking by city inspectors, who would otherwise be freed for other assignments.

Construction Off

Construction inspectors now spend about 25 percent of their working time on major new projects, which have fallen off drastically in recent years. The Buildings Department's inspection staff, according to Jeremiah T. Walsh, the Commissioner of Buildings, is less than 50 percent of what it was in 1970.

The legislation would, according to city officials, institute much of the opportunity for graft and, therefore, tend to lower building costs. It would also, they argue, stimulate business confidence in the city by indicating its commitment to streamlining its bureaucracy and improving its management policies. They also hope it will spur new construction.

The bill, however, has met considerable opposition. Segments of the architectural and engineering professions are hesitant of conceding their exposure to liability and are concerned that they might be made vulnerable to conflict-of-interest charges. The inspectors themselves see their jobs as jeopardized by the bill and labor groups view it as a substantial threat to Civil Service.

The Background

In November 1974 Mayor Beame released a report of widespread corruption in the construction industry resulting from a two-year inquiry by the Department of Investigation, which followed a series of articles in The New York Times that estimated that bribes in the industry totaled about \$25 million a year.

The report indicated that virtually every city employee reached by the Department of Investigation was directly involved in corrupt acts or knew of them. It said that the average corrupt inspector had at least doubled his salary of \$11,000 to \$18,950 a year. It said that bribes ranged from \$5 to \$5,000 and

that some inspectors were on monthly "pads," receiving regular payments of \$100 to \$300.

More than 130 indictments resulted from the investigation and many cases are still pending.

In an attempt to reform part of the complex system, Commissioner Walsh issued a directive in January 1975 that building plans should be examined essentially for compliance with zoning regulations and fire protection. Unless specifically requested, plans for structural and mechanical systems no longer had to be thoroughly reviewed. As a result, plan examiners in the Buildings Department now need only four or five hours to examine plans for a major development rather than three days or more, according to Mr. Walsh.

Procedures Changed

Furthermore, last September, the Department of Buildings changed its procedures for minor alterations. Permits for such alterations can now be issued in about half an hour after payments of fees and filing of proofs of insurance. Under past practice, it took as long as a few weeks, Mr. Walsh said.

While these changes simplified and shortened the application process, they did not deal with inspection, a critical area for corruption.

The bill would mandate private inspections for any alteration costing more than \$150,000 and for all new buildings 15 stories or more in height, residential projects of 42 or more units in one building, or of 10 or more buildings with at least three units each, or of 25 or more one- or two-family homes, as well as any new building to accommodate more than 1,000 people or garages for more than 50 vehicles.

The Proponents

There is general agreement that most bribery in the industry is conducted not to cover or overlook faulty work, but to prevent unnecessary delay in routine processing.

"Self-inspection," as the proposed plan is occasionally described, will give owners the security of a reasonable timetable for their projects and eliminate the need for graft, according to its supporters.

Moreover, architects and engineers are more qualified than the department's inspectors, they say, and have more to lose.

The bill would enable an owner to hire the architect or engineer already at work on his project. These professionals would be held responsible for and be subject to criminal penalties for willful falsifying of certification as well as removal from city registration lists. If found guilty of a false certification, the professional could lose his state license.

Commissioner Walsh has argued that the plan would free his reduced staff to handle complaints of violations in existing buildings faster and to concentrate on matters of life and safety.

A spokesman for the Department of Investigation said the plan might be adaptable to other city departments.

"We're testing the waters," he said, adding that the city had no intention of using the system as a ploy to cut Civil Service.

waiver is now being studied by the Government.

Mr. Beame, in a letter to Federal officials last Friday, said the Federal subsidies were needed to prevent severe deterioration of local public housing because of the financial pressures on such housing.

But Mr. LeFrak, seeing things differently, charged last week that the city proposal involved an illegal diversion of funds that should go to tenants in private housing. The city proposal, he argued, would be destructive to private housing generally and would also "sabotage" efforts to rescue the LeFrak City apartment complex in Queens from the serious financial and social problems besetting it.

The 20-building, 5,000-family development, built in the 1960's in Elmhurst, is contending with high vacancies and the flight of white families. Physical deterioration also became an issue last fall.

Charging that the city proposal for public housing use of the Federal funds was a "rip-off," Mr. LeFrak said he was planning a Federal court suit on the issue, and declared: "Sam LeFrak has built more of New York than anyone else. Sam LeFrak will leave New York if New York doesn't have anything for me—if they're going to abandon me, I'll abandon them."

He said that his organization already had about 30,000 apartments elsewhere in the United States and that it had plans for further construction in California, South Carolina, Pennsylvania and New Jersey.

St. Paul Elects Mayor

ST. PAUL, April 18 (AP)—George LaRimer, an attorney, has been elected Mayor of St. Paul. Mr. LaRimer, 40 years old, ran on the Democratic-Farmer-Labor ticket yesterday against George Vavouzis, independent Republican, who was Mayor from 1960-66. Complaints but unofficial returns from the city's 160 precincts showed Mr. LaRimer with 38,193 votes and Mr. Vavouzis with 33,984. The term is two years.

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# EXCERPTS FROM SENATE INTELLIGENCE REPORT

WASHINGTON, April 28—Following are excerpts from "Intelligence and the Rights of Americans," the final report of the Senate Select Committee on Intelligence Activities.

## INTRODUCTION AND SUMMARY

The institutional system of checks and balances has not adequately controlled intelligence activities. Until recently, the executive branch has neither the scope of permissible activities nor established procedures for intelligence agencies. Confined to exercise sufficient discretion in questioning the use of its appropriations were being domestic intelligence issues reached the courts, and in some cases when they have reached the judiciary has been replete with them.

### Number of People Affected by Domestic Intelligence Activity

Domestic intelligence agencies targeted a vast number of citizens and domestic organizations. Headquarters alone has over 500,000 domestic intelligence files, and these have been augmented by 65,000 additional files at F.B.I. field offices. In 1972, the F.B.I. opened 65,000 intelligence files in 1972, substantially more individuals are subject to scrutiny than the number of people who appear to indicate since the domestic intelligence file information on more than one group, and this information is retrievable through the National Name Index.

Over a million Americans and groups caught in the domestic intelligence net is further illustrated by statistics: a quarter of a million first were opened and photostated through the United States in the 1953-1973, producing a half million names.

Over 100,000 individuals were in the C.I.A. computer system and were created on approximately 100 Americans and over 100 groups during the course of the CIAOS (1967-1973). Private telegrams sent through the United States by the National Security Agency in 1947 to 1975 under a agreement with three United States companies.

Over 100,000 Americans' names were created between 1953 and 1971. Files on more than 11,000 groups were created by the Revenue Service between 1953 and tax investigations on the basis of political criteria.

Over 26,000 individuals were included on an F.B.I. list of subversives in the event of an emergency. Much information collected for long periods.

Intelligence agencies have collected information about the lives and participation in legal and political activities. The targets' activity have included rents of the right and the from activist to casual investigations have been not proponents of racial women's rights, outspoken violence and racial harassment politicians; religious and advocates of new life widespread targeting of domestic groups and the type of the collection of information illustrated by the following:

Women's liberation movement infiltrated by informants material about the movement, leaders and individual report included the name of a woman who attended meetings who stated that each meeting had described oppressed, sexually or another report concluded the report's purpose was to from the humdrum being only a wife and still recommended that a investigation should be element civil rights leader to Dr. Martin Luther investigated on the sus might be a Communist. The F.B.I. field office was not. Bureau headed that the investigation a theory of "guilty until proven innocent" does not agree with belief of the field office not sympathetic to the While there may not be that— is a Communist is there any substantial is anti-Communist. sources reported on the the Conservative American Council in 1971. In a bureau collected information the John Birch Society to the White House society's "scurrilous" at President Eisenhower and government officials. investigations of the lawful peaceful groups have conducted. For example, the is investigated to determine "had connections with" Party. The investigation

lasted for over 25 years, although nothing was found to rebut a report during the first year of the investigation that the N.A.A.C.P. had a "strong tendency" to "steer clear of Communist activities." Similarly, the F.B.I. has admitted that the Socialist Workers Party has committed no criminal acts. Yet the bureau has investigated the Socialist Workers Party for more than three decades on the basis of its revolutionary rhetoric—which the F.B.I. concedes falls short of incitement to violence—and its claimed international links. The bureau is currently using its informants to collect information about S.W.P. members' political views, including those on "U.S. involvement in Angola," "food prices," "racial matters," the "Vietnam War" and about any of their efforts to support non-S.W.P. candidates for political office.

(e) National political leaders fell within the broad reach of intelligence investigations. For example, Army Intelligence maintained files on Senator Adlai Stevenson and Congressman Abner Mikva because of their participation in peaceful political meetings under surveillance by Army agents. A letter to Richard Nixon, while he was a candidate for President in 1968, was intercepted under C.I.A.'s mail opening program. In the 1960's President Johnson asked the F.B.I. to compare various senators' statements on Vietnam with the Communist Party line and to conduct name checks on leading antiwar senators.

(f) As part of their effort to collect information which related even remotely to people or groups active in communities which had "the potential" for civil disorder, Army intelligence agencies took such steps as: sending agents to a Halloween party for elementary school children in Washington, D.C., because they suspected a local "dissident" might be present; monitoring protests of welfare mothers' organizations in Milwaukee; infiltrating a coalition of church youth groups in Colorado, and sending agents to a priests' conference in Washington, D.C., held to discuss birth control measures.

(g) In the late 1960's and early 1970's, student groups were subjected to intense scrutiny. In 1970 the F.B.I. ordered investigations of every member of the Students for a Democratic Society and of "every black student union and similar group regardless of their past or present involvement in disorders." Files were opened on thousands of young men and women so that, as the former head of F.B.I. intelligence explained, the information could be used if they ever applied for a Government job.

In the 1960's bureau agents were instructed to increase their efforts to discredit "New Left" student demonstrators by tactics including publishing photographs ("naturally the most obnoxious picture should be used"), using "misinformation" to falsely notify members events had been canceled, and writing "tell-tale" letters to students' parents.

(h) The F.B.I. Intelligence Division commonly investigated any indication that "subversive" groups already under investigation were seeking to influence or control other groups. One example of the extreme breadth of this "infiltration" theory was an F.B.I. instruction in the mid-1960's to all field offices to investigate every "free university" because some of them had come under "subversive influence."

(i) Each administration from Franklin D. Roosevelt's to Richard Nixon's permitted and sometimes encouraged Government agencies to handle essentially political intelligence. For example: President Roosevelt asked the F.B.I. to put in its files the names of citizens sending telegrams to the White House opposing his "national defense" policy and supporting Col. Charles Lindbergh.

President Truman received inside information on a former Roosevelt aide's efforts to influence his appointments, labor union negotiating plans and the publishing plans of journalists.

President Eisenhower received reports on purely political and social contacts with foreign officials by Bernard Baruch, Mrs. Eleanor Roosevelt and Supreme Court Justice William O. Douglas. The Kennedy Administration had the F.B.I. wiretap a Congressional staff member, three executive officials, a lobbyist and a Washington law firm. Attorney General Robert F. Kennedy received the fruits of a F.B.I. "tap" on Martin Luther King Jr. and a "bug" on a Congressman, both of which yielded information of a political nature.

President Johnson asked the F.B.I. to conduct "name checks" of his critics and of members of the staff of his 1964 opponent, Senator Barry Goldwater. He also requested purely political intelligence on his critics in the Senate, and received extensive intelligence reports on political activity at the 1964 Democratic Convention from F.B.I. electronic surveillance.

President Nixon authorized a program of wiretaps which produced for the White House purely political or personal information unrelated to national security, including information about a Supreme Court justice.

3. Covert Action and the Use of Illegal or Improper Means (a) Covert Action Apart from uncovering excesses in the collection of intelligence, our investigation has disclosed covert actions directed against Americans, and the use of illegal and improper surveillance techniques to gather information. For example: (1) The F.B.I.'s Cointelpro—counterintelligence program—was designed to "disrupt" groups and "neutralize" individuals deemed to be threats to domestic security. The F.B.I. resorted to counterintelligence tactics in part because its chief officials believed that the existing law could not control the activities of certain dissident groups and that



Senator Walter F. Mondale, center, Minnesota Democrat, talking with F. A. O. Schwarz 3d, chief counsel to the Senate Select Committee on Intelligence. At right is Senator Charles McC. Mathias Jr., Maryland Republican.

court decisions had tied the hands of the intelligence community. Whatever opinion one holds about the policies of the targeted groups, many of the tactics employed by the F.B.I. were indisputably degrading to a free society. Cointelpro tactics included: "Anonymously attacking the political beliefs of targets in order to induce their employers to fire them;" "Anonymously mailing letters to the spouses of intelligence targets for the purpose of destroying their marriages;" "Obtaining from I.R.S. the tax returns of a target and then attempting to provoke an I.R.S. investigation for the express purpose of deterring a protest leader from attending the Democratic National Convention;" "Falsely and anonymously labeling as Government informants members of groups known to be violent, thereby exposing the falsely labeled member to expulsion or physical attack;" "Pursuant to instructions to use "misinformation" to disrupt demonstrations, employing such means as broadcasting fake orders on the same citizens band radio frequency used by demonstration marshals to attempt to control demonstrations and duplicating and falsely filling out forms soliciting housing for persons coming to a demonstration, thereby causing "long and useless journeys to locate these addresses."

Sending an anonymous letter to the leader of a Chicago street gang (described as a "violence-prone") stating that the Black Panthers were supposed to have "a hit for you." The letter was suggested because it "may intensify animosity" and cause the street gang leader to "take retaliatory action."

From "late 1963" until his death in 1968, Martin Luther King Jr. was the target of an intensive campaign by the Federal Bureau of Investigation to "neutralize" him as an effective civil rights leader. In the words of the man in charge of the F.B.I.'s "war" against Dr. King, "No holds were barred."

The F.B.I. gathered information about Dr. King's plans and activities through an extensive surveillance program, employing nearly every intelligence-gathering technique at the bureau's disposal in order to obtain information about the "private activities" of Dr. King and his advisers "to use to "completely discredit" them.

The program to destroy Dr. King as the leader of the civil rights movement included efforts to discredit him with executive branch officials, Congressional leaders, foreign heads of state, American ambassadors, churches, universities and the press.

The F.B.I. mailed Dr. King a tape recording made from microphones hidden in his hotel rooms which one agent testified was an attempt to destroy Dr. King's marriage. The tape recording was accompanied by a note which Dr. King and his advisers interpreted as threatening to release the tape recording unless Dr. King committed suicide.

The extraordinary nature of the campaign to discredit Dr. King is evident from two documents. At the August 1963 march on Washington, Dr. King told the country of his "dream" that:

"All of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, 'Free at last, free at last, thank God Almighty, I'm free at last.'"

The bureau's Domestic Intelligence Division concluded that this "demagogic speech" established Dr. King as the "most dangerous and effective Negro leader in the country." Shortly afterwards and within days after Dr. King was named "Man of the Year" by Time magazine, the F.B.I. decided to "take him off his pedestal, reduce him completely in influence," and select and promote its own candidate to "assume the role of the leadership of the Negro people."

In early 1968, bureau headquarters explained to the field that Dr. King must be destroyed because he was seen as a potential "messiah" who could "unify and electrify" the "black nationalist movement." Indeed to the F.B.I. he was a potential threat because he might "abandon his supposed 'obedience' to white liberal doctrines (non-violence)." In short, a nonviolent man was to be secretly attacked and destroyed as insurance against his abandoning nonviolence. (b) Illegal or Improper Means The surveillance which we investigated was not only vastly excessive in

breadth and a basis for degrading counterintelligence actions, but was also often conducted by illegal or improper means. For example: (1) For approximately 20 years the C.I.A. carried out a program of indiscriminately opening citizens first class mail. The bureau also had a mail opening program, but canceled it in 1966. The bureau continued, however, to receive the illegal fruits of C.I.A.'s program. In 1970, the heads of both agencies signed a document for President Nixon, which correctly stated that mail opening was illegal, falsely stated that it had been discontinued and proposed that the illegal opening of mail should be resumed because it would provide useful results. The President approved the program, but withdrew his approval five days later. The illegal opening continued nonetheless. Throughout this period C.I.A. officials knew that mail opening was illegal but expressed concern about the "flap potential" of exposure, not about the illegality of their activity.

(2) From 1947 until May 1975, N.S.A. received from international cable companies millions of cables which had been sent by American citizens in the reasonable expectation that they would be kept private.

(3) Since the early 1930's, intelligence agencies have frequently wiretapped and bugged American citizens without the benefit of judicial warrant. Recent court decisions have curtailed the use of these techniques against domestic targets. But past subjects of these surveillances have included a United States Congressman, a Congressional staff member, journalists and newsmen, and numerous individuals and groups who engaged in no criminal activity and who posed no genuine threat to the national security, such as two White House domestic affairs advisers and an anti-Vietnam War protest group. While the prior written approval of the Attorney General has been required for all warrantless wiretaps since 1940, the record is replete with instances where this requirement was ignored and the Attorney General gave only after-the-fact authorization.

Until 1965, microphone surveillance by intelligence agencies was wholly unregulated in certain classes of cases. Within weeks after a 1954 Supreme Court decision denouncing the F.B.I.'s installation of a microphone in a defendant's bedroom, the Attorney General informed the bureau that he did not believe the decision applied to national security cases and permitted the F.B.I. to continue to install microphones subject only to its own "intelligent restraint."

In several cases, purely political information (such as the reaction of Congress to an Administration's legislative proposal) and purely personal information (such as coverage of the extramarital social activities of a high-level executive official under surveillance) was obtained from electronic surveillance and disseminated to the highest levels of the Federal Government.

(5) Warrantless break-ins have been conducted by intelligence agencies since World War II. During the 1960's alone, the F.B.I. and C.I.A. conducted hundreds of break-ins, many against American citizens and domestic organizations. In some cases, these break-ins were to install microphones; in other cases, they were to steal such items as membership lists from organizations considered "subversive" by the bureau.

(6) The most pervasive surveillance technique has been the informant. In a random sample of domestic intelligence cases, 83 percent involved informants and 5 percent involved electronic surveillance. Informants have been used against peaceful, law-abiding groups; they have collected information about personal and political views and activities. To maintain their credentials in violence-prone groups, informants have involved themselves in violent activity. This phenomenon is well illustrated by an informant in the Klan. He was present at the murder of a civil rights worker in Mississippi and subsequently helped to solve the crime and convict the perpetrators. Earlier, however, while performing duties paid for by the Government, he had previously "beaten people severely, had boarded buses and kicked people, had [gone] into restaurants and beaten them [blacks] with blackjacks, chains, pistols." Although the F.B.I. requires agents to instruct informants that they cannot be involved in violence, it was understood that in the Klan, "he couldn't be an angel and be a good informant."

## 4. Ignoring the Law

Officials of the intelligence agencies occasionally recognized that certain activities were illegal, but expressed concern only for "flap potential." Even more disturbing was the frequent testimony that the law and the Constitution were simply ignored. For example, the author of the so-called Huston plan testified:

Question: Was there any person who stated that the activity recommended, which you have previously identified as being illegal opening of the mail and breaking and entry or burglary—was there any single person who stated that such activity should not be done because it was unconstitutional?

Answer: No. Question: Was there any single person who said such activity should not be done because it was illegal?

Answer: No. Similarly, the man who for 10 years headed F.B.I.'s Intelligence Division testified that:

"... never once did I hear anybody, including myself, raise the question: is this course of action which we have agreed upon lawful, is it legal, is it ethical or moral. We never gave any thought to this line of reasoning, because we were just naturally pragmatic."

Although the statutory law and the Constitution were often not "given a thought," there was a general attitude that intelligence needs were responsive to a higher law. Thus, as one witness testified in justifying the F.B.I.'s mail opening program:

"It was my assumption that what we were doing was justified by what we had to do . . . the greater good, the national security."

## 5. Deficiencies in Accountability and Control

The overwhelming number of excesses continuing over a prolonged period of time were due in large measure to the fact that the system of checks and balances—created in our Constitution to limit abuse of governmental power—was seldom applied to the intelligence community. Guidance and regulation from outside the intelligence agencies—where it has been imposed at all—has been vague. Presidents and other senior executive officials, particularly the Attorneys General, have virtually abdicated their constitutional responsibility to oversee and set standards for intelligence activity. Senior Government officials generally gave the agencies broad, general mandates or pressed for immediate results on pressing problems. In neither case did they provide guidance to prevent excesses and their broad mandates and pressures themselves often resulted in excessive or improper intelligence activity.

Congress has often declined to exercise meaningful oversight, and on occasion has passed laws or made statements which were taken by intelligence agencies as supporting overly broad investigations. On the other hand, the record reveals instances when intelligence agencies have concealed improper activities from their superiors in the executive branch and from the Congress, or have elected to disclose only the less questionable aspects of their activities.

There has been, in short, a clear and sustained failure by those responsible to control the intelligence community and to insure its accountability. There has been an equally clear and sustained failure by intelligence agencies to fully inform the proper authorities of their activities and to comply with directives from those authorities.

## 6. The Adverse Impact of Improper Intelligence Activity

Many of the illegal or improper disruptive efforts directed against American citizens and domestic organizations succeeded in injuring their targets. Although it is sometimes difficult to prove that a target's misfortunes were caused by a counterintelligence program directed against him, the possibility that an arm of the United States Govern-

ment intended to cause the harm and might have been responsible is itself abhorrent.

The committee has observed numerous examples of the impact of intelligence operations. Sometimes the harm was readily apparent—destruction of marriages, loss of friends or jobs. Sometimes the attitudes of the public and of Government officials responsible for formulating policy and resolving vital issues were influenced by distorted intelligence. But the most basic harm was to the values of privacy and freedom which our Constitution seeks to protect and which intelligence activity infringed on a broad scale.

### (a) General Efforts to Discredit

Several efforts against individuals and groups appear to have achieved their stated aims. For example:

1. A bureau field office reported that the anonymous letter it had sent to an activist's husband accusing his wife of infidelity "contributed very strongly" to the subsequent breakup of the marriage.

2. Another field office reported that a draft counselor, deliberately and falsely accused of being an F.B.I. informant, was "ostracized" by his friends and associates.

3. Two instructors were reportedly put on probation after the bureau sent an anonymous letter to a university administrator about their funding of an anti-administration student newspaper.

4. The bureau evaluated its attempts to "put a stop" to a contribution to the Southern Christian Leadership Conference as "quite successful."

5. An F.B.I. document boasted that a "pretext" phone call to Stokely Carmichael's mother telling her that members of the Black Panther Party intended to kill her son left her "shocked." The memorandum intimated that the bureau believed it had been responsible for Carmichael's flight to Africa the following day.

### (b) Media Manipulation

The F.B.I. has attempted covertly to influence the public's perception of persons and organizations by disseminating derogatory information to the press, either anonymously or through "friendly" news contacts. The impact of those articles is generally difficult to measure, although in some cases there are fairly direct connections to injury to the target. The bureau also attempted to influence media reporting which would have an impact on the public image of the F.B.I. Examples include:

1. Planning a series of derogatory articles about Martin Luther King Jr., and the poor people's campaign.

2. For example, in anticipation of the 1968 "poor people's march on Washington, D. C.," bureau headquarters granted authority to furnish "cooperative news media sources" an article "designed to curtail success of Martin Luther King's fund raising." Another memorandum illustrated how "photographs of demonstrators" could be used in discrediting the civil rights movement. Six photographs of participants in the poor people's campaign in Cleveland accompanied the memorandum with the following note attached: "These [photographs] show the militant aggressive appearance of the participants and might be of interest to a cooperative news source." Information on the "poor people's campaign" was provided by the F.B.I. to friendly reporters on the condition that "the Bureau must not be revealed as the source."

3. Soliciting information from field offices "on a continuing basis" for "prompt . . . dissemination to the news media . . . to discredit the New Left movement and its adherents." The headquarters directive requested, among other things, that:

"Specific data should be furnished depicting the scurrilous and depraved nature of many of the characters, activities, habits and living conditions representative of New Left adherents."

4. Field Offices were to be exhorted that "every avenue of possible embarrassment must be vigorously and enthusiastically explored."

5. Ordering field offices to gather information which would disprove allegations by the "liberal press, the bleeding hearts and the forces on the left" that the Chicago police used undue force in dealing with demonstrators at the 1968 Democratic convention.

6. Taking advantage of a close relationship with the chairman of the board—described in an F.B.I. memorandum as "our good friend"—of a magazine with national circulation to influence articles which related to the F.B.I. For example, through this relationship the bureau "squashed" an "unfavorable article against the bureau" written by a freelance writer about an F.B.I. investigation, "postponed publication" of an article on another F.B.I. case, "re-installed publication" of an article by Dr. Martin Luther King Jr., and received information about proposed editing of King's articles.

### (c) Distorting Data to Influence Government Policy and Public Perceptions

Accurate intelligence is a prerequisite to sound Government policy. However, as the past head of the F.B.I.'s Domestic Intelligence Division reminded the committee:

"The facts by themselves are not too meaningful. They are something like stones cast into a heap." On certain crucial subjects the domestic intelligence agencies reported the "facts" in ways that gave rise to misleading impressions. For example, the F.B.I.'s Domestic Intelligence Division initially discounted as an "obvious failure" the alleged attempts of Communists to influence the civil rights movement. Without any significant change in the factual situation, the bureau moved from the division's conclusion to Director Hoover's public Congressional testimony characterizing Communist influence on the civil rights movement as "vitally important."

F.B.I. reporting on protests against Continued on Following Page

# Excerpts: Panel Questions the Protective Value of Many Intelligence Activities

Continued from Preceding Page

The Vietnam War provides another example of the manner in which the information provided to decision-makers can be skewed. In acquiescence with a judgment already expressed by President Johnson, the bureau's reports on demonstrations against the war in Vietnam emphasized Communist efforts to influence the antiwar movement and underplayed the fact that the vast majority of demonstrators were not Communist controlled.

## (d) "Chilling" First Amendment Rights

The First Amendment protects the rights of American citizens to engage in free and open discussions and to associate with persons of their choosing. Intelligence agencies have, on occasion, expressly attempted to interfere with those rights. For example, one internal F.B.I. memorandum called for "more interviews" with New Left subjects "to enhance the paranoia endemic in these circles" and "get the point across there is an F.B.I. agent behind every mailbox."

More importantly, the Government's surveillance activities in the aggregate—whether or not expressly intended to do so—tend, as the committee concludes, to deter the exercise of First Amendment rights by American citizens who become aware of the Government's domestic intelligence program.

## (e) Preventing the Free Exchange of Ideas

Speakers, teachers, writers and publications themselves were targets of the F.B.I.'s counterintelligence program. The F.B.I.'s efforts to interfere with the free exchange of ideas included:

- Anonymously attempting to prevent an alleged "Communist-front" group from holding a forum on a Midwest campus and then investigating the judge who ordered that the meeting be allowed to proceed.
- Using another "confidential source" in a foundation which contributed to a local college to apply pressure on the school to fire an activist professor.
- Anonymously contacting a university official to urge him to "persuade" two professors to stop funding a student newspaper in order to "eliminate what voice the New Left has" in the area.
- Targeting the New Mexico Free University for teaching "confrontation politics" and "draft counseling training."

## 7. Cost and Value

Domestic intelligence is expensive. We have already indicated the cost of illegal and improper intelligence activities in terms of the harm to victims, the injury to constitutional values and the damage to the democratic process itself. The cost in dollars is also significant. For example, the F.B.I. has budgeted for fiscal year 1976 over \$7 million for its domestic security informant program, more than twice the amount it spends on informants against organized crime.

The aggregate budget for F.B.I. domestic security intelligence and foreign counterintelligence is at least \$80 million. In the late 1960's and early 1970's, when the bureau was joined by the C.I.A., the military and N.S.A. in collecting information about the antiwar movement and black activities, the cost was substantially greater.

Apart from the excesses described above, the usefulness of many domestic intelligence activities in serving the legitimate goal of protecting society has been questionable. Properly directed intelligence investigations concentrating upon hostile foreign agents and violent terrorists can produce valuable results. The committee has examined cases where the F.B.I. uncovered "illegal" agents of a foreign power engaged in clandestine intelligence activities in violation of Federal law. Information leading to the prevention of serious violence has been acquired by the F.B.I. through its informant penetration of terrorist groups and through the inclusion in bureau files of the names of persons actively involved with such groups.

Nevertheless, the most sweeping domestic intelligence surveillance programs have produced surprisingly few useful returns in view of their extent. For example:

Between 1960 and 1974, the F.B.I. conducted over 500,000 separate investigations of persons and groups under the "subversive" category, predicated on the possibility that they might be likely to overthrow the Government of the United States. Yet not a single individual or group has been prosecuted since 1957 under the laws which prohibit planning or advocating action to

overthrow the Government and which are the main alleged statutory basis for such F.B.I. investigations.

A recent study by the General Accounting Office has estimated that of some 17,528 F.B.I. domestic intelligence investigations of individuals in 1974, only 1.3 percent resulted in prosecution and conviction, and in only "about 2 percent" of the cases was advance knowledge of any activity—legal or illegal—obtained.

One of the main reasons advanced for expanded collection of intelligence about urban unrest and antiwar protest was to help responsible officials cope with possible violence. However, a former White House official with major duties in this area under the Johnson Administration has concluded, in retrospect, that "in none of these situations . . . would advance intelligence about dissident groups [have] been of much help," that what was needed was "physical intelligence" about the geography of major cities, and that the attempt to "predict violence" was not a "successful undertaking."

Domestic intelligence reports have sometimes even been counterproductive. A local police chief, for example, described F.B.I. reports which led to the positioning of Federal troops near his city as:

... Almost completely composed of unsorted and unevaluated stories, threats and rumors that had crossed my desk in New Haven. Many of these had long before been discounted by our intelligence division. But they had made their way from New Haven to Washington, had gained completely unwarranted credibility and had been submitted by the Director of the F.B.I. to the President of the United States. They seemed to present a convincing picture of impending holocaust.

In considering its recommendations, the committee undertook an evaluation of the F.B.I.'s claims that domestic intelligence was necessary to combat terrorism, civil disorders, "subversion" and hostile foreign intelligence activity. The committee reviewed voluminous materials bearing on this issue and questioned bureau officials and former Federal executive officials.

We have found that we are in fundamental agreement with the wisdom of Attorney General Stone's initial warning that intelligence agencies must not be "concerned with political or other opinions of individuals" and must be limited to investigating essentially only "such conduct as is forbidden by the laws of the United States." The committee's record demonstrates that domestic intelligence which departs from this standard raises grave risks of undermining the democratic process and harming the interests of individual citizens. This danger weighs heavily against the speculative or negligible benefits of the ill-defined and overbroad investigations authorized in the past. Thus, the basic purpose of the recommendations in this report is to limit the F.B.I. to investigating conduct rather than ideas or associations.

The excesses of the past do not, however, justify depriving the United States of a clearly defined and effectively controlled domestic intelligence capability. The intelligence services of this nation's international adversaries continue to attempt to conduct clandestine espionage operations within the United States. Our recommendations provide for intelligence investigations of hostile foreign intelligence activity.

Moreover, terrorists have engaged in serious acts of violence which have brought death and injury to Americans and threaten further such acts. These acts, not the politics or beliefs of those who would commit them, are the proper focus for investigations to anticipate terrorist violence. Accordingly, the committee would permit properly controlled intelligence investigations in those narrow circumstances.

Concentration on imminent violence can avoid the wasteful dispersion of resources which has characterized the sweeping (and fruitless) domestic intelligence investigations of the past. But the most important reason for the fundamental change in the domestic intelligence operations which our recommendations propose is the need to protect the constitutional rights of Americans.

In light of the record of abuse revealed by our inquiry, the committee is not satisfied with the position that mere exposure of what has occurred in the past will prevent its recurrence. Clear legal standards and effective oversight and controls are necessary to insure that domestic intelligence activity does not itself undermine the democratic system it is intended to protect.

## RECOMMENDATIONS

**Recommendation 1**—There is no inherent constitutional authority for the President or any intelligence agency to violate the law.

**Recommendation 2**—It is the intent of the committee that statutes implementing these recommendations provide the exclusive legal authority for Federal domestic security activities.

(a) No intelligence agency may engage in such activities unless authorized by statute, nor may it permit its employees, informants or other covert human sources to engage in such activities on its behalf.

(b) No executive directive or order may be issued which would conflict with such statutes.

**Recommendation 3**—In authorizing intelligence agencies to engage in certain activities, it is not intended that such authority empower agencies, their informants or covert human sources to violate any prohibition enacted pursuant to these recommendations or contained in the Constitution or in any other law.

**Recommendation 4**—To supplement the prohibitions in the 1947 National Security Act against the C.I.A. exercising "police, subpoena, law enforcement powers or internal security functions," the C.I.A. should be prohibited from conducting domestic security activities within the United States, except as specifically permitted by these recommendations.

**Recommendation 5**—The Director of Central Intelligence should be made responsible for "coordinating" the protection of sources and methods of the intelligence community. As head of the C.I.A., the Director should also be responsible in the first instance for the security of C.I.A. facilities, personnel, operations and information. Neither function, however, authorizes the Director of Central Intelligence to violate any Federal or state law or to take any action which is otherwise inconsistent with statutes implementing these recommendations.

**Recommendation 6**—The C.I.A. should not conduct electronic surveillance, unauthorized entry or mail openings within the United States for any purpose.

**Recommendation 7**—The C.I.A. should not employ physical surveillance, infiltration of groups or any other covert techniques against Americans within the United States except:

- (a) Physical surveillance of persons on the grounds of C.I.A. installations;
- (b) Physical surveillance during a preliminary investigation of allegations an employee is a security risk for a limited period outside of C.I.A. installations. Such surveillance should be conducted only upon written authorization of the Director of Central Intelligence and should be limited to the subject of the investigation and, only to the extent necessary to identify them, to persons with whom the subject has contact;

(c) Confidential inquiries, during a preliminary investigation of allegations an employee is a security risk, of outside sources concerning medical or financial information about the subject which is relevant to those allegations;

(d) The use of identification which does not reveal C.I.A. or Government affiliation, in background and other security investigations permitted the C.I.A. by these recommendations and the conduct of checks which do not reveal C.I.A. or Government affiliation for the purpose of judging the effectiveness of cover operations upon the written authorization of the Director of Central Intelligence;

(e) In exceptional cases, the placement or recruitment of agents within an unwitting domestic group solely for the purpose of preparing them for assignments abroad and only for as long as is necessary to accomplish that purpose. This should take place only if the Director of Central Intelligence makes a written finding that it is essential for foreign intelligence collection of vital importance to the United States, and the Attorney General makes a written finding that the operation will be conducted under procedures designed to prevent misuse of the undisclosed participation or of any information obtained therefrom. In the case of any such action, no information received by C.I.A. from the agent as a result of his position in the group should be disseminated outside the C.I.A. unless it indicates felonious criminal conduct or threat of death or serious bodily harm, in which case dissemination should be permitted to an appropriate official agency if approved by the Attorney General.

**Recommendation 8**—The C.I.A. should not collect information within the United States concerning Americans except:

- (a) Information concerning C.I.A. employees, C.I.A. contractors and their employees or applicants for such employment or contracting;
- (b) Information concerning individuals or organizations providing or offering to provide assistance to the C.I.A.;
- (c) Information concerning individuals or organizations being considered by the C.I.A. as potential sources of information or assistance;
- (d) Visitors to C.I.A. facilities;
- (e) Persons otherwise in the immediate vicinity of sensitive C.I.A. sites; or
- (f) Persons who give their informed written consent to such collection.

In (a), (b) and (c) above, information should be collected only if necessary for the purpose of determining the person's fitness for employment or assistance. If, in the course of such collection, information is obtained which indicates criminal activity, it should be transmitted to the F.B.I. or other appropriate agency. When an American's relationship with the C.I.A. is prospective, information should only be collected if there is a bona fide expectation the person might be used by the C.I.A.

**Recommendation 9**—The C.I.A. should not collect information abroad concerning Americans except:

- (a) Information concerning Americans which it is permitted to collect within the United States;
- (b) At the request of the Justice Department as part of criminal investigations or an investigation of an American for suspected terrorist or hostile foreign intelligence activities or security leak or security risk investigations which the F.B.I. has opened.

**Recommendation 10**—The C.I.A. should be able to transmit to the F.B.I. or other appropriate agencies information concerning Americans acquired as the incidental byproduct of otherwise permissible foreign intelligence and counterintelligence operations whenever such information indicates any activity in violation of American law.

**Recommendation 11**—The C.I.A. may employ covert techniques abroad against Americans:

- (a) Under circumstances in which the C.I.A. could use such covert techniques against Americans within the United States, or
- (b) When collecting information as part of Justice Department investigation, in which case the C.I.A. may use a particular covert technique under the standards and procedures and approvals applicable to its use against Americans within the United States by the F.B.I.

(c) To the extent necessary to identify persons known or suspected to be Americans who come in contact with foreigners the C.I.A. is investigating.

**C.I.A. Human Experiments and Drug Use**

**Recommendation 12**—The C.I.A. should not use in experimentation on human subjects any drug, device or procedure which is designed or intended to harm, or is reasonably likely to harm, the physical or mental health of the human subject, except with the informed written consent, witnessed by a disinterested third party, of each human subject, and in accordance with the guidelines issued by the National Commission for the Protection of Human Subjects for Biomedical and Behavioral Research. The jurisdiction of the commission should be amended to include the Central Intelligence Agency and other intelligence agencies of the United States Government.

**Recommendation 13**—Any C.I.A. activity engaged in pursuant to Recommendations 7, 8, 9, 10 or 11 should be subject to periodic review and certification of compliance with the Constitution, applicable statutes, agency regulations and executive orders by:

- (a) The Inspector General of the C.I.A.;
- (b) The General Counsel of the C.I.A., in coordination with the Director of Central Intelligence;
- (c) The Attorney General, and
- (d) The oversight committee recommended [below].

All such certifications should be available for review by Congressional oversight committees.

**Recommendation 14**—N.S.A. should not engage in domestic security activities. Its functions should be limited to a precisely drawn legislative charter to the collection of foreign intelligence from foreign communications.

**Recommendation 15**—N.S.A. should take all practicable measures consistent with its foreign intelligence mission to eliminate or minimize the interception, selection and monitoring of communications of Americans from the foreign communications.

**Recommendation 16**—N.S.A. should not be permitted to select for monitoring any communication to, from or about an American without his consent, except for the purpose of obtaining information about hostile foreign intelligence or terrorist activities, and then only if a warrant approving such monitoring is obtained in accordance with procedures similar to those contained in Title III of the Omnibus Crime Control and Safe Streets Act of 1968.

**Recommendation 17**—Any personally identifiable information about an American which N.S.A. incidentally acquires, other than pursuant to a warrant, should not be disseminated without the consent of the American, but should be destroyed as promptly as possible unless it indicates:

- (a) Hostile foreign intelligence or terrorist activities; or
- (b) Felonious criminal conduct for which a warrant might be obtained pursuant to Title III of the Omnibus Crime Control and Safe Streets Act of 1968, or
- (c) A threat of death or serious bodily harm.

If dissemination is permitted by (a), (b) and (c) above, it must only be made to an appropriate official and after approval by the Attorney General.

**Recommendation 18**—N.S.A. should not request from any commercial carrier any communication which it could not otherwise obtain pursuant to these recommendations.

**Recommendation 19**—The Office of Security at N.S.A. should be permitted to collect background information on present or prospective employees or contractors for N.S.A. solely for the purpose of determining their fitness for employment. With respect to security risks or the security of its installations, N.S.A. should be permitted to conduct physical surveillances consistent with such surveillances as the C.I.A. is permitted to conduct, in similar circumstances, by these recommendations.

**Recommendation 20**—Except as specifically provided herein, the Department of Defense should not engage in domestic security activities. Its functions, as they relate to the activities of the foreign intelligence community, should be limited to a precisely drawn legislative charter "to the conduct of foreign intelligence and foreign counterintelligence activities and tactical military intelligence activities abroad and production, analysis and dissemination of departmental intelligence."

**Recommendation 21**—In addition to its foreign intelligence responsibility, the Department of Defense has a responsibility to investigate its personnel in order to protect the security of its installations and property, to ensure order and discipline within its ranks and to conduct other limited investigations once dispatched by the President to suppress a civil disorder. A legislative charter should define precisely—in a manner which is not inconsistent with these recommendations—the authorized scope and purpose of any investigations undertaken by the Department of Defense to satisfy these responsibilities.

**Recommendation 22**—No agency of the Department of Defense should conduct investigations of violations of criminal law or otherwise perform any law enforcement or domestic security functions within the United States, except on military bases or concerning military personnel, to enforce the Uniform Code of Military Justice.

**Control of Civil Disturbance Intelligence**

**Recommendation 23**—The Department of Defense should not be permitted to conduct investigations of Americans on the theory that the information derived therefrom might be useful in potential civil disorders. The Army should be permitted to gather information about geography, logistical matters or the identity of local officials which is necessary to the positioning, support and use of troops in an area where troops are likely to be deployed by the President in connection with a civil disturbance. The Army should be permitted to investigate Americans involved in such disturbances after troops have been deployed to the site of a civil disorder to the extent necessary to fulfill the military mission and to the extent the information cannot be obtained from the F.B.I.

**Recommendation 24**—Appropriate agencies of the Department of Defense should be permitted to collect background information on their present or prospective employees or contractors. With respect to security risks or the security of its installations, the Department of Defense should be permitted to conduct physical surveillance consistent with such surveillances as the C.I.A. is permitted to conduct, in similar circumstances, by these recommendations.

**Recommendation 25**—Except as provided in 27 below, the Department of Defense should not direct any covert technique (e.g., electronic surveillance, informants, etc.) at American civilians.

**Recommendation 26**—The Department of Defense should be permitted to conduct abroad preventive intelligence investigations of unaffiliated Americans, provided such investigations are first approved by the F.B.I. Such investigations, including the use of covert techniques, should ordinarily be conducted in a manner consistent with the recommendations pertaining to the F.B.I.; however, in overseas locations where U.S. military forces constitute the governing power or where U.S. military forces are engaged in hostilities circumstances may require greater latitude to conduct such investigations.

**Recommendation 27**—The I.R.S. should not, on behalf of any intelligence agency or for its own use, collect any information about the activities of Americans except for the purposes of enforcing the tax laws.

**Recommendation 28**—I.R.S. should not select any person or group for tax investigation on the basis of political

activity or for any other reason not relevant to enforcement of the tax laws.

**Recommendation 29**—Any program of intelligence investigation relating to domestic security in which targets are selected by both tax and nontax criteria should only be initiated:

- (a) Upon the written request of the Attorney General or the Secretary of the Treasury, specifying the nature of the requested program and the need therefor, and
- (b) After the written certification by the Commissioner of the I.R.S. that procedures have been developed which are sufficient to prevent the infringement of the constitutional rights of Americans, and

(c) With Congressional oversight committees being kept continually advised of the nature and extent of such programs.

## Disclosure Procedures

**Recommendation 30**—No intelligence agency should request from the Internal Revenue Service tax returns or tax-related information except under the statutes and regulations controlling such disclosures. In addition, the existing procedures under which tax returns and tax-related information are released by the I.R.S. should be strengthened, as suggested in the following five recommendations.

**Recommendation 31**—All requests from an intelligence agency to the I.R.S. for tax returns and tax-related information should be in writing and signed by the head of the intelligence agency making the requests or his designee. Copies of such requests should be filed with the Attorney General. Each request should include a clear statement of:

- (a) The purpose for which disclosure is sought;
- (b) Facts sufficient to establish that the requested information is needed by the requesting agency for the performance of an authorized and lawful function;
- (c) The uses which the requesting agency intends to make of the information;
- (d) The extent of the disclosures sought;
- (e) Agreement by the requesting agency not to use the documents or information for any purpose other than that stated in the request, and
- (f) Agreement by the requesting agency that the information will not be disclosed to any other agency or person except in accordance with the law.

**Recommendation 32**—I.R.S. should not release tax returns or tax-related information to any intelligence agency unless it has received a request satisfying the requirements of Recommendation 31 and the Commissioner of Internal Revenue has approved the request in writing.

**Recommendation 33**—I.R.S. should maintain a record of all such requests and responses thereto for a period of 20 years.

**Recommendation 34**—No intelligence agency should use the information supplied to it by the I.R.S. pursuant to a request of the agency except as stated in a proper request for disclosure.

**Recommendation 35**—All requests for information sought by the F.B.I. should be filed by the Department of Justice. Such requests should be signed by the Attorney General or his designee, following a determination by the department that the request is proper under the applicable statutes and regulations.

## Post Office

**Recommendation 36**—The Post Office should not permit the F.B.I. or any intelligence agency to inspect markings or addresses on first class mail, nor should the Post Office itself inspect markings or addresses on behalf of the F.B.I. or any intelligence agency on first class mail, except upon the written approval of the Attorney General or his designee. Where one of the correspondents is an American, the Attorney General or his designee should only approve such inspection for domestic security purposes upon a written finding that it is necessary to a criminal investigation or a preventive intelligence investigation of terrorist activity or hostile foreign intelligence activity.

Upon such a request, the Post Office may temporarily remove from circulation such correspondence for the purpose of such inspection of its exterior as is related to the investigation.

**Recommendation 37**—The Post Office should not transfer the custody of any first class mail to any agency except the Department of Justice. Such mail should not be transferred or opened except upon a judicial search warrant.

(a) In the case of mail where one of the correspondents is an American, the judge must find that there is probable cause to believe that the mail contains evidence of a crime.

(b) In the case of mail where both parties are foreigners:

- (1) The judge must find that there is probable cause to believe that both parties to such correspondence are foreigners and one of the correspondents is an official employee or consular agent of a foreign power, and
- (2) The Attorney General must certify that the mail opening is likely to reveal information necessary either to the protection of the nation against actual or potential attack or other hostile acts of force of a foreign power; to obtain foreign intelligence information deemed essential to the security of the United States, or to protect national security information against hostile foreign intelligence activity.

**Recommendation 38**—All domestic security investigative activity, including the use of covert techniques, should be centralized within the Federal Bureau of Investigation, except those investigations by the Secret Service designed to protect the life of the President or other Secret Service protectees. Such investigations and the use of covert techniques in those investigations should be centralized within the Secret Service.

**Recommendation 39**—All domestic security activities of the Federal Government and all other intelligence agency activities covered by the domestic intelligence recommendations should

be subject to Justice Dept. oversight to assure compliance with the Constitution and laws of the States.

**Recommendation 40**—Should be prohibited from its own or through informants in any of the following categories:

- (a) Disseminating any information to the news media or any other political or official source, such as discrediting the Administration or intelligence or investigative activity or association of Americans;
- (b) Interfering with the publication, assembly, activity or association of Americans;
- (c) Harassing individual necessary over investigations such as interviews, or surveillance for the purpose of the investigation.

**Recommendation 41**—Should be prohibited from information on the political activities of Americans except that which is necessary for domestic operations as described below.

**Investigations of Covert or Imminent Offense**

**Recommendation 42**—Should be permitted to investigate any act which may constitute a criminal offense under domestic security to determine the perpetrator or whether the act violates a statute.

**Recommendation 43**—Should be permitted to investigate any act which is "reasonable suspicion" that an American or foreigner is committing or is about to commit a specific act which would violate a statute pertaining to the activity.

**Recommendation 44**—Should be permitted to conduct a preliminary preventive investigation of an American where it has a specific allegation or substantiated information that the American or foreigner is engaged in terrorist activity, foreign intelligence activity, or activities which may constitute a criminal offense under domestic security to determine the perpetrator or whether the act violates a statute.

In no event should a preliminary or full preventive investigation last longer than 30 days of the information unless the General or his designee, following a determination by the department that the request is proper under the applicable statutes and regulations.

**Recommendation 45**—Should be permitted to assist Federal officials in connection with either:

- (1) After the Attorney General in writing that there is a credible threat of domestic rioting which is likely to result in the use of Federal troops for the maintenance of Federal law or order, or likely to result in the use of Federal troops for the maintenance of Federal law or order, or likely to result in the use of Federal troops for the maintenance of Federal law or order, or likely to result in the use of Federal troops for the maintenance of Federal law or order;
- (2) Military officials in providing such troops, and
- (3) State and local officials in conducting their activities with military officials.

**Recommendation 46**—Should be permitted to assist Federal officials in connection with either:

- (1) The President in making a determination of the introduction of troops;
- (2) Military officials in providing such troops, and
- (3) State and local officials in conducting their activities with military officials.

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- (1) The President in making a determination of the introduction of troops;
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- (3) State and local officials in conducting their activities with military officials.

**Background Investig**

**Recommendation 48**—Should be permitted to assist Federal officials in connection with either:

- (1) The President in making a determination of the introduction of troops;
- (2) Military officials in providing such troops, and
- (3) State and local officials in conducting their activities with military officials.

**Recommendation 49**—Undertaken to be formulated by the General, the F.B.I. should be permitted to investigate a specific individual within the branch with access to classification is a security risk as such Executive Order 10450. Such investigation should not continue long days except upon written approval of the Attorney General or his designee.

**Recommendation 50**—Undertaken to be formulated by the General, the F.B.I. should be permitted to investigate a specific individual within the branch with access to classification is a security risk as such Executive Order 10450. Such investigation should not continue long days except upon written approval of the Attorney General or his designee.

Continued on Following

APPLICABLE



07/11/50

# Excerpts: Proposals Include Curbs on Mail Opening and Unauthorized Break-Ins

Continued from Preceding Page

be formulated by the Attorney General. The FBI should be permitted to investigate a specific allegation of espionage or disclosure of classified information by employees or contractors of the executive branch. Such investigations should not continue longer than 60 days except upon written approval of the Attorney General or his designee.

**Recommendation 50—Overt techniques** should be permitted at the scene of a potential civil disorder in which extensive acts of violence are occurring and Federal troops have been introduced. This additional authority to direct such overt techniques at Americans during a civil disorder should be limited to circumstances where Federal troops are actually in use and the technique is used only for the purpose of preventing further violence.

**Recommendation 51—All nonconsentronic surveillance** should be conducted pursuant to judicial warrants under authority of Title III of the Omnibus Crime Control and Safe Streets Act of 1968.

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**Recommendation 53—Except as limited elsewhere** in these recommendations or in Title III of the Omnibus Crime Control and Safe Streets Act of 1968, information obtained incidentally through an authorized covert technique about an American or a foreigner who is not the target of the covert technique can be used as the basis for any authorized domestic security investigation.

**Recommendation 54—Unauthorized mail opening** should be conducted only upon a warrant issued upon probable cause that the place to be searched contains evidence of a crime, authorized entry, including espionage, against foreigners or employees or conscious agents of a foreign power or other persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

**Recommendation 55—Mail opening** should be conducted only upon a warrant issued upon probable cause that the place to be searched contains evidence of a crime, authorized entry, including espionage, against foreigners or employees or conscious agents of a foreign power or other persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

**Recommendation 56—Unauthorized mail opening** should be conducted only upon a warrant issued upon probable cause that the place to be searched contains evidence of a crime, authorized entry, including espionage, against foreigners or employees or conscious agents of a foreign power or other persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

**Recommendation 57—All covert human sources** should be directed at an American or a foreigner who is not the target of the covert technique and then the purpose of identifying persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

**Recommendation 58—Mail surveillance** should be conducted only upon a warrant issued upon probable cause that the place to be searched contains evidence of a crime, authorized entry, including espionage, against foreigners or employees or conscious agents of a foreign power or other persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

**Recommendation 59—The use of physical and review of credit records** should be conducted only upon a warrant issued upon probable cause that the place to be searched contains evidence of a crime, authorized entry, including espionage, against foreigners or employees or conscious agents of a foreign power or other persons who are likely to be involved in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

disseminated to officials outside the Department of Justice authorized to make personnel decisions with respect to the subject.

**Recommendation 60—Covert techniques** should be permitted at the scene of a potential civil disorder in which extensive acts of violence are occurring and Federal troops have been introduced. This additional authority to direct such overt techniques at Americans during a civil disorder should be limited to circumstances where Federal troops are actually in use and the technique is used only for the purpose of preventing further violence.

**Recommendation 61—Covert techniques** should be permitted at the scene of a potential civil disorder in which extensive acts of violence are occurring and Federal troops have been introduced. This additional authority to direct such overt techniques at Americans during a civil disorder should be limited to circumstances where Federal troops are actually in use and the technique is used only for the purpose of preventing further violence.

**Recommendation 62—If Congress enacts a statute attaching criminal sanctions to security leaks**, covert techniques should be directed at Americans in the course of security leak investigations only if such techniques are consistent with Recommendation 55(1), 58(1) or 59. With respect to security risks, Congress might consider authorizing covert techniques, other than those requiring a judicial warrant, to be directed at Americans in the course of security risk investigations, but only upon a written finding of the Attorney General that there is reasonable suspicion to believe that the individual is a security risk, he has considered and rejected less intrusive techniques and he believes the technique requested is necessary to the investigation.

### Incidental Overhears

**Recommendation 63—Except as limited elsewhere** in these recommendations or in Title III of the Omnibus Crime Control and Safe Streets Act of 1968, information obtained incidentally through an authorized covert technique about an American or a foreigner who is not the target of the covert technique can be used as the basis for any authorized domestic security investigation.

**Recommendation 64—Information** should not be maintained except where relevant to the purpose of an investigation.

**Recommendation 65—Personally identifiable information** on Americans obtained in the following kinds of investigations should be sealed or purged as follows (unless it appears on its face to be necessary for another authorized investigation):

(a) Preventive intelligence investigations of terrorist or hostile foreign intelligence activities—information should be sealed or purged as soon as the assistance is terminated by the Attorney General or his designee pursuant to Recommendation 69, provided that where troops have been introduced such information need be sealed or purged only within a reasonable period after their withdrawal.

(b) Civil disorder assistance—as soon as the assistance is terminated by the Attorney General or his designee pursuant to Recommendation 69, provided that where troops have been introduced such information need be sealed or purged only within a reasonable period after their withdrawal.

(c) Information previously gained by the FBI or any other intelligence agency through illegal techniques should be sealed or purged as soon as practicable.

**Recommendation 67—Personally identifiable information** on Americans from domestic security investigations may be disseminated outside the Department of Justice as follows:

(a) Preventive intelligence investigations of terrorist activities—personally identifiable information on Americans from preventive intelligence investigations of terrorist activities may be disseminated only to:

(1) A foreign or domestic law enforcement agency which has jurisdiction over the criminal activity to which the information relates, or

(2) To a foreign intelligence or military agency of the United States, if necessary for an activity permitted by these recommendations, or

disseminated to officials outside the Department of Justice authorized to make personnel decisions with respect to the subject.

**Recommendation 68—Officers of the executive branch** who are made responsible by these recommendations for overseeing intelligence activities and appropriate Congressional committees should have access to all information necessary for their functions. The committees should adopt procedures to protect the privacy of subjects of files maintained by the FBI and other agencies affected by the domestic intelligence recommendations.

### Attorney General Oversight of the F.B.I.

**Recommendation 69—The Attorney General** should:

(a) Establish a program of routine and periodic review of F.B.I. domestic security investigations to ensure that the FBI is complying with all of the foregoing recommendations, and

(b) Assure, with respect to the following investigations of Americans, that:

(1) Preventive intelligence investigations of terrorist activity or hostile foreign intelligence activity are terminated within one year, except that the Attorney General or his designee may grant extensions upon a written finding of "compelling circumstances";

(2) Covert techniques are used in preventive intelligence investigations of terrorist activity or hostile foreign intelligence activity only so long as necessary and not beyond time limits established by the Attorney General, except that the Attorney General or his designee may grant extensions upon a written finding of "compelling circumstances";

(3) Civil disorder assistance is terminated upon withdrawal of Federal troops or, if troops were not introduced, within a reasonable time after the finding by the Attorney General that troops are likely to be requested, except that the Attorney General or his designee may grant extensions upon a written finding of "compelling circumstances";

**Recommendation 70—The Attorney General** should review the internal regulations of the FBI and other intelligence agencies engaging in domestic security activities to ensure that such internal regulations are proper and adequate to protect the constitutional rights of Americans.

**Recommendation 71—The Attorney General** or his designee (such as the Office of Legal Counsel of the Department of Justice) should advise the general counsel of intelligence agencies on interpretations of statutes and regulations adopted pursuant to these recommendations and on other legal questions as are described below.

**Recommendation 72—The Attorney General** should have ultimate responsibility for the investigation of alleged violations of law relating to the domestic intelligence recommendations.

**Recommendations 73—The Attorney General** should be notified of possible alleged violations of law through the Office of Professional Responsibility by agency heads, general counsel or inspectors general of intelligence agencies.

**Recommendation 74—The heads of all intelligence agencies** affected by these recommendations are responsible for the prevention and detection of alleged violations of the law by or on behalf of their respective agencies and for the reporting to the Attorney General of all such alleged violations. Each such agency head should also assure his agency's cooperation with the Attorney General in investigation of alleged violations.

**Recommendation 75—The F.B.I.** and each other intelligence agency should have a general counsel, nominated by the President and confirmed by the Senate, and an inspector general appointed by the agency head.

**Recommendation 76—Any individual** having information on past, current or proposed activities which appear to be illegal, improper or in violation of agency policy should be required to report the matter immediately to the agency head, general counsel or inspector general. If the matter is not initially reported to the general counsel he should be notified by the agency head or inspector general. Each agency should regularly remind employees of their obligation to report such information.

**Recommendation 77—As provided in Recommendation 74**, the heads of the FBI and of other intelligence agencies are responsible for reporting to the Attorney General alleged violations of law. Where such reports are made the appropriate Congressional committees should be notified.

should include the general counsel's findings concerning these activities, a summary of the inspector general's investigations of these activities and the practice and procedures developed to discover activities that raise questions of legality or propriety.

### Office of Professional Responsibility

**Recommendation 82—The Office of Professional Responsibility** created by Attorney General Levi should be recognized in statute. The director of the office, appointed by the Attorney General, should report directly to the Attorney General or the Deputy Attorney General. The functions of the office should include:

(a) Serving as a central repository of reports and notifications provided the Attorney General, and

(b) Investigation, if requested by the Attorney General, of alleged violations by intelligence agencies of statutes enacted or regulations promulgated pursuant to these recommendations.

**Recommendation 83—The Attorney General is responsible for all of the activities of the F.B.I.** and the director of the F.B.I. is responsible to, and should be under the supervision and control of, the Attorney General.

**Recommendation 84—The director of the F.B.I.** should be nominated by the President and confirmed by the Senate to serve at the pleasure of the President for a single term of not more than eight years.

**Recommendation 85—The Attorney General** should consider exercising his power to appoint assistant directors of the F.B.I. should be nominated by the President and confirmed by the Senate to serve at the pleasure of the President for a single term of not more than eight years.

**Recommendation 86—The Attorney General** should approve all administrative regulations required to implement statutes created pursuant to these recommendations.

**Recommendation 87—Such regulations**, except for regulations concerning investigations of hostile foreign intelligence activity or other matters which are properly classified, should be issued pursuant to the Administrative Procedures Act and should be subject to the approval of the Attorney General.

**Recommendation 88—The effective date of regulations** pertaining to the following matters should be delayed 90 days, during which time Congress would have the opportunity to review such regulations:

(a) Any C.I.A. activities against Americans, as permitted above;

(b) Military activities at the time of a civil disorder;

(c) The authorized scope of domestic security investigations, authorized investigative techniques, maintenance and dissemination of information by the FBI, and

(d) The termination of investigations and covert techniques as described [above].

**Recommendation 89—Each year** the F.B.I. and other intelligence agencies affected by these recommendations should be required to seek annual statutory authorization for their programs.

**Recommendation 90—The Freedom of Information Act (5 U.S.C. 552 (b) ) and the Federal Privacy Act (5 U.S.C. 552 (a) )** provide important mechanisms by which individuals can gain access to information on intelligence activity directed against them. The domestic intelligence recommendations assume that these statutes will continue to be vigorously enforced. In addition, the Department of Justice should notify all readily identifiable targets of past illegal surveillance techniques and all Cointelpro victims and third parties who had received anonymous Cointelpro communications of the nature of the activities directed against them or the source of the anonymous communication to them.

**Recommendation 91—Congress** should enact a comprehensive civil remedies statute which would accomplish the following:

(a) Any American with a substantial and specific claim to an actual or threatened injury by a violation of the Constitution by Federal intelligence officers or agents acting under color of law should have a Federal cause of action against the Government and the individual Federal intelligence officer or agent responsible for the violation, without regard to the monetary amount in controversy, if actual injury is proven in court, the committee believes that the injured person should be entitled to equitable relief, actual, general and punitive damages and recovery of the costs of litigation. If threatened injury is proven in court, the committee believes that equitable relief and recovery of the costs of litigation should be available.

(b) Any American with a substantial and specific claim to an actual or threatened injury by violation of the statutory charter for intelligence activity (as proposed by these domestic intelligence recommendations) should have a cause of action for relief as in (a) above.

(c) Because of the secrecy that surrounds intelligence programs, the committee believes that a plaintiff should have two years from the date upon which he discovers or reasonably should have discovered the facts which give rise to a cause of action for relief from a constitutional or statutory violation.

(d) Whatever statutory provision may be made to permit an individual defendant to raise an affirmative defense that he acted within the scope of his official duties, in good faith and with a reasonable belief that the action he took was lawful, the committee believes that to insure relief to persons injured by governmental intelligence activity this defense should be available solely to individual defendants and should not extend to the Government. Moreover, the defense should not be available to bar injunctions against individual defendants.

**Recommendation 92—The committee** believes that criminal penalties should apply, where appropriate, to willful and knowing violations of statutes enacted pursuant to the domestic intelligence recommendations.

**Recommendation 93—Congress** should either repeal the Smith Act (18 U.S.C. 2385) and the Voorhis Act (18 U.S.C. 2386), which on their face appear to authorize investigation of "mere advocacy" of a political ideology, or amend those statutes so that domestic security investigations are only directed at conduct which might serve as the basis for a constitutional criminal prosecution under Supreme Court decisions interpreting these and related statutes.

**Recommendation 94—The appropriate committees of the Congress** should review the Espionage Act of 1917 to determine whether it should be amended to cover modern forms of foreign espionage, including industrial, technological or economic espionage.

**Recommendation 95—The appropriate Congressional oversight committees of the Congress** should, from time to time, request the Comptroller General of the United States to conduct audits and reviews of the intelligence activities of any department or agency of the United States affected by the Domestic Intelligence Recommendations. For such purpose, the Comptroller General or any of his duly authorized representatives should have access to, and the right to examine, all necessary materials of any such department or agency.

**Recommendation 96—The committee** re-endorses the concept of vigorous Senate oversight to review the conduct of domestic security activities through a new permanent intelligence oversight committee.

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### Definitions

For the purposes of these recommendations:

A. "Americans" means U.S. citizens, resident aliens and unincorporated associations, composed primarily of U.S. citizens or resident aliens; and corporations, incorporated or having their principal place of business in the United States or having majority ownership by U.S. citizens, or resident aliens, including foreign subsidiaries of such corporations, provided, however, "Americans" does not include corporations directed by foreign governments or organizations.

B. "Collect" means to gather or initiate the acquisition of information or to request it from another agency.

C. A "covert human source" means undercover agents or informants who are paid or otherwise controlled by an agency.

D. "Covert techniques" means the collection of information, including collection from record sources not readily available to a private person (except state or local law enforcement files), in such a manner as not to be detected by the subject.

E. "Domestic security activities" means governmental activities against Americans or conducted within the United States or its territories, including enforcement of the criminal laws, intended to:

1. Protect the United States from hostile foreign intelligence activity including espionage;

2. Protect the Federal, state and local governments from domestic violence or rioting, and

3. Protect Americans and their Government from terrorists.

F. "Foreign communications" refers to a communication between or among two or more parties in which at least one party is outside the United States or a communication transmitted between points within the United States if transmitted over a facility which is under the control of or exclusively used by a foreign government.

G. "Foreigners" means persons and organizations who are not Americans as defined above.

H. "Hostile foreign intelligence activities" means acts or conspiracies by Americans or foreigners who are officers, employees or conscious agents of a foreign power or who, pursuant to the direction of a foreign power, engage in clandestine intelligence activity or engage in espionage, sabotage or similar conduct in violation of Federal criminal statutes.

I. "Name checks" means the retrieval by an agency of information already in the possession of the Federal Government or in the possession of state or local law enforcement agencies.

J. "Overt investigative techniques" means the collection of information readily available to a private person, including interviews of the subject or his friends or associates.

K. "Purged" means to destroy or transfer to the National Archives all personally identifiable information (including references in any general name index).

L. "Sealed" means to retain personally identifiable information and to retain entries in a general name index but to restrict access to the information and entries to circumstances of "compelling necessity."

M. "Reasonable suspicion" is based upon the Supreme Court's decision in the case of Terry v. Ohio, 392 U.S. 1 (1968), and means specific and articulable facts which, taken together with rational inferences from those facts, give rise to a reasonable suspicion that specified activity has occurred, is occurring or is about to occur.

N. "Terrorist activities" means acts, or conspiracies which: (a) are violent or dangerous to human life; and (b) violate Federal or state criminal statutes concerning assassination, murder, arson, bombing, hijacking or kidnapping; and (c) appear intended to or are likely to have the effect of:

(1) Substantially disrupting Federal, state or local government, or

(2) Substantially disrupting interstate or foreign commerce between the United States and another country, or

(3) Directly interfering with the exercise by Americans of constitutional rights protected by the Civil Rights Act of 1968, or by foreigners of their rights under the laws or treaties of the United States.

O. "Unauthorized entry" means entry without authorization by the target.

## Senate Rift Looms Over Power of Intelligence Panel

By DAVID E. ROSENBAUM

Special to The New York Times

WASHINGTON, April 28—

The Senate Rules Committee voted today to give no lawmaking or budgetary authority to a proposed new Senate committee that would monitor the activities of intelligence agencies.

The action set the stage for a floor fight next month between members of the Senate's old guard, who approve of today's action, and younger, more reform-minded senators, who want to keep tighter reins on the nation's intelligence apparatus.

A central finding of the Senate Select Committee on Intelligence Activities in its report this week was that Congress had exercised far too little control over the intelligence agencies.

The select committee, headed by Senator Frank Church, Democrat of Idaho, recommended the creation of a new Senate committee with broad power to regulate the work and expenditures of the intelligence community.

Clark Favors a Panel

Senator Dick Clark, an Iowa Democrat, argued in the rules committee today that failure of the Senate to establish such a panel would "in effect be to repudiate the Church committee's findings."

tee did for 15 months before making its final recommendations.

Under the rules committee's proposal, the members of the new committee would be drawn from the four committees whose past direction of intelligence activities the Church committee found lacking. The members of the new committee would be appointed by the chairman and ranking minority party members of those four committees.

The four committees are Appropriations, Army Services, Foreign Relations and Judiciary. The respective chairmen, John L. McClellan of Arkansas, John C. Stennis of Mississippi, John J. Sparkman of Alabama and James O. Eastland of Mississippi—are among the oldest and most conservative Democrats in the Senate.

Voted for Strong Panel

In February, the Senate Government Operations Committee voted unanimously to create a strong new intelligence oversight committee like that proposed by the Church committee.

The effort in the rules committee to overturn the work of the Government operations panel and strip all important powers from the new committee was led by Senators Howard W. Cannon of Nevada and Robert C. Byrd of West Virginia, both of whom have close ties to the Democratic establishment that has run the Senate for much of the last three decades.

Senator Cannon argued today

that a strong oversight committee "might seriously jeopardize the conduct of our intelligence activities." The basic question, he said, is whether "it is the solution to the problem to cut off the dog's head if he has a disease that can be cured with a lesser remedy."

Enormous Implications

The matter is likely to reach the Senate floor about May 10. Many senators and staff members said today that the decisions made then would carry enormous implications about the conduct of the intelligence community for years to come.

In terms of internal Senate politics, they said, the votes in the Senate next month will provide the first indication of whether leadership in the Senate is likely to pass to a new generation, more in tune with the national Democratic Party than the leaders of the past.

In a broader context, they added, the decisions will show whether the Senate seriously intends to become deeply involved in setting foreign policy or whether it is satisfied with leaving such matters primarily to the President.

Although the division is not a neat one, the struggle is basically between the half of the Senate elected in the last 10 years and the half elected before 1966.

The more senior Senators have attained committee chairmanships and other positions of authority. They are reluctant to strip power from one of their

number—Senator Stennis or Senator McClellan, for instance—for fear that the next time it will be they who are the losers.

The young Senators, equally ambitious, are eager to see an institutional framework that gives them more influence in the conduct of government.

The votes on intelligence oversight, in the view of some, may also have repercussions on the race for the Senate majority leadership next year between Mike Byrd and Edmund S. Muskie, Democrat of Maine.

Senator Byrd's strength is with the old guard, the Senators whose jurisdictional authority he is currently defending. Senator Muskie is the candidate of many of the younger members.

Staff members of Senators who want a strong oversight committee have been meeting for some days to plan strategy for the floor fight. Based on a preliminary nose count, one such staff member said today that a majority of Senators favored his side's general position but that he expected to lose on some specific issues.

As is so often the case in the Senate, many of the decisions next month may hinge on parliamentary maneuvering, and Senator Byrd and his allies are masters at that.

The decisions of the Senate will be final, because all that is involved is the formation of a new Senate committee. Neither the House of Representatives nor the executive branch will have any say in the matter.

# Intelligence Panel Asserts F.B.I. Violated Rights

Continued From Page 1, Col. 8

"Improper" and "abusive" acts stretching back over six Presidential administrations and four decades that was neither partisan nor the product of "a few willful men," but an inevitable result of the "excessive" growth of executive power unchecked by Congress.

In its major finding, the committee declared: "Domestic intelligence activity has been overbroad in that (1) many Americans and domestic groups have been subjected to investigation who were not suspected of criminal activity, and (2) the intelligence agencies have regularly collected information about personal and political activities irrelevant to any legitimate governmental interest."

In addition to concluding that Federal statutes had been violated, the committee found that "legal issues were often overlooked" or simply ignored by officials of the F.B.I., the Central Intelligence Agency and others who, in many cases, had "failed to disclose candidly their programs and practices to their own general counsels, and to Attorneys General, Presidents and Congress."

Other major findings by the committee included the following:

That a lack of precise standards for the conduct of intelligence investigations had led the F.B.I. over the last 20 years to conduct nearly one million investigations of "subversive" or "extremist" matters, half of which resulted in the creation of a permanent F.B.I. file, although no prosecutions have been brought under the subversion statutes.

That Presidents since Franklin Delano Roosevelt, their aides and the bureau's supporters in Congress have requested or unhesitatingly accepted from the F.B.I. politically useful information about opponents and critics, much of it gathered through a network of improper or illegal electronic surveillance techniques that dates back to the 1940s.

That covert-action programs, like the F.B.I.'s Contelpro, have interfered with constitutional freedoms of political association, disrupted groups that were "concededly nonviolent," risked or caused "serious emotional, economic or physical damage" to unwitting targets of the bureau and, as employed against the late Rev. Dr. Martin Luther King Jr., violated both "the law and fundamental human decency."

That the product of intelligence investigations has been improperly disseminated by the F.B.I. and other agencies, both within the government and to friendly "news media sources" who were offered recordings of Dr. King's sexual activities and sensitive or derogatory information on others the bureau wished to discredit, and who in some cases provided the bureau with information or helped suppress unfavorable articles about the F.B.I.

The committee also faulted with Presidents, White House officials, Attorneys General and Congressional oversight bodies who, "although often unaware of details of the excesses described in this report, made those excesses possible by delegating broad authority" to the intelligence agencies to investigate subversion and political dissent without establishing "adequate guidelines" to control those investigations.

The 96 recommendations for Congressional action set forth in the report included one, occasioned by the panel's finding that laws and liberties had persistently been transgressed in the name of "national security," that Congress "make clear" to the President and his aides that they have no inherent constitutional power to violate an existing statute.

**Curb on C.I.A. Urged**  
Other recommendations are designed to prohibit a repetition of domestic police activities by the Central Intelligence Agency, such as its 20-year-long program of opening mail and its investigations of American antiwar dissidents, the National Security Agency's interception of cable communications between this country and abroad, and the use of the Internal Revenue Service by a succession of Presidents to harass their political opponents.

Three of the select committee's Republican members—Senators John G. Tower of Texas, the vice chairman, Howard H. Baker Jr. of Tennessee, and Barry F. Goldwater of Arizona—said in the report that they could not unanimously endorse the recommendations for fear that some of them would place "undue restrictions" on the intelligence agencies.

But Senator Goldwater, who proved to be the staunchest defender of the intelligence community in the panel's public hearings, said in a separate statement that over the last decade of the late J. Edgar Hoover's tenure as F.B.I. director, "abuses crept into the operations of the bureau."

The main thrust of the committee's 341-page report, produced under the supervision of John T. Eliff, a Brandeis University professor on leave to assist the committee, was the constant disregard of which F.B.I. agents and officials, and on occasion Mr. Hoover himself, held the laws and constitutional principles they were sworn to enforce.

William C. Sullivan, who for 10 years headed the F.B.I.'s domestic intelligence division, said he had risen to become



Senator Howard H. Baker Jr., Tennessee Republican, reading report on intelligence agencies.

the bureau's third-ranking official at the time of his retirement in 1971, was asked by committee staff members about the degree to which he and other officials were concerned about the illegality of such activities as mail openings and burglaries by the agents they controlled.

### Legality Not Questioned

"Never once," Mr. Sullivan replied, "did I hear anybody, including myself, raise the question: 'Is this course of action which we have agreed upon lawful, is it legal, is it ethical or moral?' We never gave any thought to this line of reasoning, because we were just naturally pragmatic."

The committee said it had found that, although some of the F.B.I. personnel interviewed had been aware that their intelligence and counterintelligence operations violated Federal and state statutes, there was a "general attitude" among them that the nation's intelligence needs were governed by a "higher law."

As William Branigan, a retired F.B.I. supervisor, told the panel, "It was my assumption that what we were doing was justified by what we had to do for the greater good, the national security."

It was just such "imprecision and manipulation of labels" like national security, domestic security, subversive activities and foreign intelligence, the committee said, that had enabled the F.B.I. to justify to itself and others its methods and its investigation of large numbers of Americans who held minority political views but who had evidenced no violent or illegal tendencies.

Much of the committee report's detail about the Government's domestic intelligence activities has already become public, either through the panel's open hearings or in news accounts. But the report marks the first instance in which all of that information has been drawn together along with firm conclusions about the legality, morality and advisability of those activities.

### Many Violations Found

The committee asserted, for example, that Contelpro, the F.B.I.'s 15-year attempt to control "subversive" and "extremist" radio, television and right-wing political activists, who were otherwise acting lawfully, had involved "violations of both Federal and state statutes prohibiting mail fraud, wire fraud, incitement to

violence, sending obscene material through the mail, and extortion."

An internal Justice Department review of Contelpro, an acronym for counterintelligence program, which concluded in 1974 that it had involved no criminal wrongdoing, was based on "short summaries" of incidents provided to the department by the F.B.I. and was "unable to consider the complete story of Contelpro," the report said.

The committee also heard testimony from Mr. Sullivan and other F.B.I. officials indicating that the program's 15-year life was largely an artificial distinction, and that the techniques that characterized Contelpro, such as anonymous inflammatory letters, had been used by the F.B.I. to some extent since 1941 and had been continued after 1971, the year in which Mr. Hoover formally ended Contelpro.

### New Targets Found

The Senate report traced the history of domestic intelligence operations from 1956, noting that such techniques as mail openings, burglaries and bugging had been directed by the F.B.I. at different targets: for example, during World War II at pro-war supporters of Fascism, and in the postwar period at Communists and other Marxists. Then, later, at the Ku Klux Klan and other right-wing groups, and finally New Left Vietnam-era dissidents, and the feminist movement.

The national consensus that arose in the late 1940's and 1950's of the threat posed by what was perceived as an international Communist monolith led to the F.B.I.'s "vague and sweeping standards" for the conduct of security investigations, the report said.

From the Communist Party, it noted, the bureau's attention was drawn progressively to the Socialist Workers party, a Trotskyist group that did not advocate the violent overthrow of the Government, to suspicions of Communist "influence" over Dr. King and the National Association for the Advancement of Colored People, which was kept under surveillance for 25 years, ending in 1968.

A concomitant feature, the committee found, was the F.B.I.'s security index, which, at its peak in 1955, contained the names and addresses of more than 26,000 citizens to be picked up and detained if a national emergency was declared by the President.

They included, according to the report, professors, teachers, labor union organizers and leaders, writers, lecturers, newsmen, lawyers, doctors, scientists and "individuals who could potentially furnish financial or material aid" to an enemy.

The security index was reduced to about 12,000 names by 1958 and those deleted were placed on a reserve index of persons who would receive "priority consideration" for action in the event security index subjects included persons on the reserve index, the committee said, included Norman Mailer, the author and activist, and an unnamed professor "who merely praised the Soviet Union to his class."

Even after the emergency department provisions of the McCarran Act were revoked in 1971, the report said, the F.B.I. "continued to evade the will of Congress, partly with Justice Department approval, by maintaining a secret administrative index of suspects for round-up in case of a national emergency."

### Tax Inquiries Promoted

In addition to its attempts to "neutralize" and publicly discredit radicals and political activists, the F.B.I. provided its Internal Revenue Service with the names of politically active groups and individuals, more than 10,000 of whom were

singled out for special tax examinations.

The committee said that the I.R.S. had first been used as a political weapon, in a less extensive way, in the Administration of President Kennedy, when tax investigations of right-wing groups were begun as a "response to White House and Congressional interest."

The targets of domestic intelligence collection have expanded in recent years, according to the report, to include the feminist movement, about which F.B.I. informants reported that groups of women were gathering to discuss sexual roles, as well as the John Birch Society, the Urban League, and the Anti-Defamation League of B'nai B'rith, all of which were monitored by Army intelligence.

The F.B.I. has kept tabs on these and other organizations chiefly through paid undercover informants, who, the committee said, had on occasion "provoked and participated in violence and other illegal activities" to maintain their credibility.

As an indication of the priority the bureau gave to political investigations, the panel noted that the F.B.I. had budgeted more than \$7-million to pay its domestic security informants in the current fiscal year, "more than twice the amount it spends on informants (used) against organized crime."

Attorney General Edward H. Levi began last month to issue internal Justice Department guidelines that govern, among other things, the bureau's conduct of domestic security investigations and that bar the recruitment of informants, the use of "cover" or electronic surveillance unless there is a strong probability that a group or individual may be preparing to engage in violence or violate Federal laws.

### Levi's Plan Welcomed

The Senate committee said it welcomed Mr. Levi's initiative, as it did President Ford's executive reform of the foreign intelligence agencies, but that it believed those standards were "incomplete without legislation" to reinforce their provisions.

Among the areas requiring swift legislative attention, the committee said, are the still-murky delineation of responsibility shared by the C.I.A. and F.B.I. for investigating suspected foreign spies, as well as the systems problems of excessive secrecy and the "avoidance of the rule of law" by the nation's intelligence officials.

In addition to proposing that Congress commit Mr. Levi's guidelines to legislation, something Mr. Levi supports, the Senate committee is calling for strict controls on the kinds of allegations the F.B.I. can investigate, the approval of each use of an informant or a tax review by the Bureau and the purging from Bureau files of all information not relevant to current investigations.

In concluding the summary of its investigation, the Senate committee noted that its purpose had not been "to allocate blame among individuals" but to trace to their roots the patterns of abuse and lawlessness that it said had become a part of the Federal intelligence system.

"The natural tendency of government," the committee wrote, "is toward abuses of power. Men entrusted with power, even those aware of its dangers, tend, particularly when pressured, to slight liberties."

"Our constitutional system guards against this tendency. It establishes many different checks and balances. It is those checks and balances which keep men free. In the field of intelligence those restraints have too often been ignored."



Senator Robert C. Byrd, Democrat of West Virginia, gesturing to Senator Dick Clark, Democrat of Iowa, during the Senate Rules Committee yesterday. At center is Senator James B. Allen, Democrat of Alaska.

# Report Shows F.B.I. Checked N.A.A.C.P. for 25 Years

Continued From Page 1, Col. 7

groups have been subjected to extensive intelligence investigation and surveillance."

The committee said it had found the domestic intelligence activity, including operations by the F.B.I., the Central Intelligence Agency, the Army and the Internal Revenue Service, had been "overbroad" because of the "absence of precise standards for intelligence investigations."

It traced the erosion of these standards from 1924, when Attorney General Harlan Fiske Stone limited the F.B.I. to criminal matters, through 1976. Mr. Stone's standard was that the bureau "is not concerned with political or other opinions of individuals." "It is concerned," he said, "only with their conduct and then only such conduct as is forbidden by the laws of the United States."

But the committee found "the scope of domestic intelligence investigations consistently widened in the decades after the 1930's . . . and were permitted under criteria which more nearly resembled political or social [standards] than standards for government action."

People came under investigation, the report said, for being suspected "rightists" or "resisting the line of revolutionary movements. Others got attention as 'rabble rousers' or because they were 'agitators' or 'black nationalists.'"

The report said Presidents, Congress and the agencies themselves were guilty of creating these vague standards. President Franklin Roosevelt, for instance, wanted the F.B.I. to watch "subversives" and gather intelligence on "potential espionage and sabotage" with no clear definition of these terms.

### Inquiry Began in 1941

It was under Mr. Roosevelt that in 1941 the bureau opened the N.A.A.C.P. investigation. It was begun, the committee report said, "as an investigation of protests by 15 black mess attendants about racial discrimination in the Navy." Ostensibly the investigation was to determine if there had been

Communist infiltration of the black group.

In the first year of the investigation the bureau agents reported that the N.A.A.C.P. had a "strong tendency" to "steer clear of Communist activities," the committee said, yet the investigation continued for a quarter of a century.

The bureau infiltrated the association with informants and gathered extensive reports on its membership, headquarters and activities.

In 1956, for instance, the bureau prepared a report on a leadership conference on civil rights the N.A.A.C.P. sponsored and described the plans for a delegation from the conference to visit Senators Paul H. Douglas, Wayne Morse, Herbert H. Lehman, Hubert H. Humphrey and John W. Bricker. The report was sent to President Eisenhower, the committee found.

Since targets were described in such vague terms, hundreds of thousands of Americans have ended up in domestic intelligence files, the report said.

### Army's Files Cited

The Army, the committee said, maintained intelligence files on 100,000 Americans including the Rev. Dr. Martin Luther King Jr., Maj. Gen. Edwin Walker, Julian S. Bond, Joan Baez, Dr. Benjamin Spock, the Rev. William Sloane Coffin, Senator Adlai E. Stevenson 3d and Representative Abner Mikva.

All those in the Army's files, the report said, got there "simply because of their participation in political protests or their association with those who engaged in such political activities."

As an indication of how extensive domestic intelligence activities have been, the committee reported that the F.B.I. maintains some 500,000 domestic intelligence files in its Washington headquarters and has others in its field offices. From 1955 to 1975 the bureau investigated 740,000 "subversive matters" and 190,000 "extremist matters."

The C.I.A., in its Operation Chaos against domestic dissidents from 1967 to 1973, assessed an "index" file on 300,000 Americans and full dossiers on 7,200 Americans and more than 100 organizations.

The I.R.S. amassed files based

upon political criteria from 1969 to 1973 on 11,000 individuals and groups and later computerized 465,000 names for general intelligence purposes.

The vast list of suspects in this net grew more quickly because of the "vacuum cleaner" techniques of surveillance that poured names of Americans into the files with no clear indication of why they should be there, the report said. The C.I.A., it said, illegally opened some 250,000 first-class letters from 1953 to 1973, producing a "computerized index of nearly one and one-half million names."

The F.B.I. also opened 130,000 letters in eight projects from 1940 to 1966, but its results were not known.

The National Security Agency conducted wholesale scanmings of cable traffic leaving and entering the United States as well as certain overseas telephone calls which further filled the files.

Neither one's station in life nor sex, age or political coloration seemed to assure protection against coming under the scrutiny of one of the intelligence agencies.

The "women's liberation movement" was infiltrated by the F.B.I. in several cities, including Kansas City, New York and Baltimore.

The informants who attended the meetings, the report said, "collected material about the movement's policies, leaders and individual members."

### Every Woman Named

"One report included the name of every woman who attended meetings, and another stated that each woman at a meeting had described 'how she felt oppressed, sexually or otherwise,'" the committee report said. "Another report concluded that the movement's purpose was to 'free women from the humdrum existence of being only a wife and mother,' but still recommended that the investigation should continue."

The agencies, particularly the F.B.I., were responsive to successive political administrations and willingly conducted domestic intelligence investigations on people the Presidents designated, the report said.

Mr. Roosevelt had the bureau put in its files for scrutiny the names of persons who sent telegrams to the White House opposing his defense policy and who supported Col. Charles Lindbergh, then a strong critic of United States foreign policy.

The F.B.I. gave President Truman reports on a former aide to Mr. Roosevelt who was allegedly trying to influence job appointments. President Eisenhower received political reports on Bernard Baruch, Eleanor Roosevelt and Supreme Court Justice William O. Douglas.

The Kennedy Administration had the F.B.I. wiretap a Congressional staff member, the Agriculture Department official, a lobbyist and a Washington law firm. Also ordered were taps on newsmen with major publications, the report said. Attorney General Robert F. Kennedy received F.B.I. reports on a secret "bug" placed on a hotel room occupied by a Congressman.

### Dr. King's Rooms Bugged

The bug was placed in the wall of a New York hotel room where Howard D. Cooley, Democrat of North Carolina, was then chairman of the House Agriculture Committee, was to meet foreign officials. The bug procured for Mr. Kennedy, clearly political information on the forces for and against pending sugar legislation in Congress and the information that one foreign official planned to take two congressional secretaries to Bezuada for "reasons other than business," according to the report.

In many cases the investigations and techniques used, the report also said, were only thinly disguised as being for national or domestic security purposes. The committee found recognitions, including discrediting opponents or critics.

of approach aimed at King as an "agent provocateur," F.B.I. field ordered to collect information on King that we may get this information's time time in a. . .

Some two weeks before King occupied a room in the hotel, the bureau placed bugs on various King occupied rooms. These included 20 reels of tapes of conversations. The material was to make a tape of the bureau sent to try to discredit the black leader.

If power or protection from the intelligence agencies did not either, the report said, the F.B.I. operation and use of a report on a 1968 Northern Virginia school and high school and Washington. The report said, got off, cause the meeting mentioned in a newspaper. The discussion of the ballistic-missile defense was attended by a partner of Dr. King.

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The informants who attended the meetings, the report said, "collected material about the movement's policies, leaders and individual members."

The tactics of Americans often sometimes caused, national, economic damage. Actions which were designed to disrupt marriages, tearing or employment age gang warfare, old rival groups said.

### Illegal Acts

"Due process of the use of such of whether the vice national law-abiding members of group of involvement in a committee not to be state liquor board to raise a campaign an antiwar candidate. Since the bureau anonymous in most telpro actions, the never quite sure who. . .

"In Contelpro they took the law hands, going beyond of intelligence and law enforcement act outside the legal together," the report from fomenting between the Black Pa and Us Inc., a rival in San Diego, to be state liquor board to raise a campaign an antiwar candidate. Since the bureau anonymous in most telpro actions, the never quite sure who. . .

The report contains figures on how many have been maligned by domestic intelligence operations or Contelpro activities. The department of Justice had been victim of Contelpro. Attorney General Howard H. Levi announced that the government would be contacted of the victims.

The committee reported that the F.B.I. still maintains million files on domestic intelligence cases and that, on a meeting at the F.B.I. of the Department of Dr. King at which "avenues have not been destroyed

# Bureau Accused of Trying to Manipulate News Media

By PHILIP SHABECOFF

Special to The New York Times

WASHINGTON, APRIL 28—

The Federal Bureau of Investigation repeatedly and covertly attempted to manipulate the news media in an effort to influence public opinion and discredit citizens and organizations that were its "targets," the Senate Select Committee on Intelligence Activities reported today.

The committee's report on domestic intelligence activities presented evidence of pervasive and frequently successful efforts by the F.B.I. to use the news media to attack such targets as the Rev. Dr. Martin Luther King Jr. and groups and individuals in what is described as the "new left."

Following are examples from the report of ways in which the F.B.I. sought to influence reports of the news media:

Through a "good friend" who was chairman of the board of a national magazine, the bureau killed an unfavorable article about the bureau that was scheduled to appear in the magazine.

F.B.I. officials approached reporters, including one from a major magazine, and offered to play tape recordings "embarrassing" to Dr. King.

group's apartment as "a sham bled with lewd, obscene and revolutionary slogans displayed on the walls."

The Washington bureau chief of a major news organization was allegedly given discrediting information about the lawyer defending Dr. Daniel Ellsberg in the Pentagon papers case.

The F.B.I.'s efforts to use the news media were generally part of the bureau's contelpro, or counterintelligence program, designed to "disrupt" or "neutralize" people or groups considered a threat to domestic security. But the report indicates that the F.B.I. also sought to use the news media to disseminate its own views on such issues as foreign policy and sexual morality.

The report said that the bureau's crime records division maintained "covert liaison" with the news media to advance two main domestic intelligence objectives: "(1) providing derogatory information to the media intended to generally discredit the activities or individuals, and (2) disseminating unfavorable articles, news releases and background information in order to disrupt particular activities."

At the committee's hearings, a former director of the crime records division, Thomas E. Bishop, testified that he kept a list of the bureau's "press

friends" in his desk. He also said that the F.B.I. sometimes refused to cooperate with reporters who were critical of the bureau or its director.

"Public Record" Data  
Mr. Bishop said that, as a general rule, the bureau gave out only "public record information," but that this could be altered to "black out" files "on a targeted individual."

Dr. King, the civil rights leader who was assassinated in 1968, was a frequent object of F.B.I. "news leaks," according to the report.

The report stated that in November 1964, the Washington bureau chief of a "national news publication" told Nicholas B. Katzenbach, who was then Attorney General, that one of his reporters had been approached by the F.B.I. and offered a chance to listen to "interesting" tape recordings involving Dr. King.

Benjamin C. Bradlee, now executive editor of The Washington Post, confirmed to a questioner today that when he was bureau chief of Newsweek magazine in 1964 he informed Mr. Katzenbach of the offer made to one of his reporters.

The report indicated that the contents of illegal wiretaps to the news media on a number of occasions. On one occasion, it learned through a wiretap that a magazine was about to print an article critical of President Nixon's Vietnam policy and

passed that information on to the White House. The article was written by former Secretary of Defense Clark M. Clifford.

The committee also found that F.B.I. surveillance of newsmen frequently produced political information rather than national security information. For example, the report said that one wiretap showed that one of the F.B.I. "targets" helped Sargent Shriver to write a news release criticizing a speech by President Nixon.

The report generally did not divulge the names of the journalists or news media executives who were in contact with the F.B.I.

According to the Senate findings, the F.B.I. maintained a close relationship with the chairman of a national magazine, described in a bureau memorandum as "our good friend." The report said that the bureau took advantage of the relationship with the unidentified executive to postpone publication of an article on an F.B.I. case and to forestall publication of an article written by Dr. King.

Following are some other examples cited in the report of attempted manipulation of the news media by the F.B.I.:

F.B.I. headquarters asked its field offices to provide the press with specific data "depicting the squalid and depraved nature of many of the

characters, activities, habits and living conditions representative of new left adherents," saying that "every avenue of possible embarrassment must be vigorously and enthusiastically explored."

The bureau ordered field offices to gather information that would disprove allegations by "the liberal press, the bleeding hearts and the forces on the left," that the Chicago police used undue force against demonstrators at the 1968 Democratic National Convention.

Several months after the Contelpro operations were supposed to have ended, the F.B.I. attempted to discredit Leonard Boudin, the lawyer defending Dr. Daniel Ellsberg in the Pentagon papers case, by disclosing to the Washington bureau chief of a major news service information about Mr. Boudin's alleged sympathy for "Communist causes."

The bureau placed in a newspaper an article by a "wealthy Negro industrialist" that purported "to give the lie to the Communist cause that the Negro is downtrodden and has no opportunities in America." The bureau also aided the publication of articles supporting the war in Vietnam.

As one of its recommendations, the committee urged that intelligence agencies be prohibited from disseminating information to the news media for political or other improper purposes, including discrediting opponents or critics.

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### Widespread Lawbreaking Aid to Intelligence Units

#### Rules Given by Senate Committee Says Ultimate Responsibility With Highest U.S. Officials

By LESLEY OELSNER  
Special to The New York Times

WASHINGTON, April 28—In a report said, "yet neither assistant director or ascertained the full details" of the campaign to discredit Dr. J. Edgar Hoover of the Bureau of Investigation.

Mr. Kennedy, for example, in 1963 authorized wiretaps on Dr. King's home and office telephones. He requested that an investigation of the results be sent to him within 30 days, the report said, so he could determine whether the taps should be continued.

"But the evaluation was never delivered to him, and he did not insist on it," the report said. "Since he never ordered the termination of the wiretaps, the bureau could, and did, install additional wiretaps on King by invoking the original authorization," the report said.

Johnson Told of Offer  
Mr. Katzenbach and Mr. Marshall testified to the committee that in late 1964 they learned that the F.B.I. had offered tape recordings of Dr. King to some Washington journalists. They said that they informed President Johnson of the F.B.I.'s offer.

"The committee has discovered no evidence, however," the report said, "that the President or Justice Department officials made any further effort to halt the recording campaign at this time or at any other time; indeed, the bureau's campaign continued for several years after this incident."

Yet other examples occurred in the Nixon Administration, including Mr. Nixon's own temporary approval, later rescinded, of the so-called "Huston plan," which involved such things as mail openings and noted their illegality.

The committee summed up its point this way: "When senior Administration officials with a duty to control domestic intelligence activities knew, or had a basis for suspecting, that questionable activities had occurred, they often responded with silence or approval."

"In certain cases, they were presented with a partial description of a program, but did not ask for details, thereby abdicating their responsibility. In other cases, they were fully aware of the nature of the practice, and implicitly or explicitly approved it."

Among the reasons the committee cited was that sometimes Administration officials assumed "that an intelligence agency would not engage in lawless conduct"; sometimes, "they simply did not want to know."

Harshly Critical  
The committee did not contend that these acts and omissions by high Administration officials excused the lawlessness by the intelligence agencies. It was instead harshly critical of the intelligence officials and cited numerous instances where the agencies had withheld information from both the executive branch and Congress and ignored their directives.

In one example, the bureau supplied a news release for Senator Edward V. Long of Missouri, who in 1966 was holding hearings on electronic surveillance techniques. The bureau said in the Senator's release, with his approval, that the subcommittee had "conducted exhaustive research" and was now "fully satisfied" that the F.B.I. had not participated in "high-handed or uncontrolled usage" of surveillance.

The report said that the press release was "misleading" for the committee's "exhaustive research" was apparently a 90-minute briefing on the bureau's practices in which the Senator was not told of the many improper activities.

The committee's report placed "ultimate responsibility" for the "climate of permissiveness" on the various high-ranking Government officials who were supposedly in charge of controlling the activities of the intelligence community.

"The committee's inquiry has revealed a pattern of reckless disregard of activities that threatened our constitutional system," it said. "Improper acts were often intentionally concealed from the Government officials responsible for supervising the intelligence agencies, or undertaken without express authority. Such behavior is inexcusable. But equally inexcusable is the absence of executive and Congressional oversight that engendered an atmosphere in which the heads of those agencies believed they could conceal activities from their superiors."

Captured Shark Contains Parts of a Human Body  
HOUSTON, April 28—The Coast Guard reported today that fishermen on a shrimp trawler had hauled in a 14-foot shark that had been in the shark only a few days.

The trawler Cape Willie found the shark as it was swimming among shrimp in the Gulf of Mexico eight miles off the coast of Galveston. The victim apparently was an adult, the Coast Guard said.

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### HOUSE UNIT VOTES INQUIRY ON SIKES

#### But Panel on Ethics Limits Scope in Interest Case

By RICHARD D. LYONS  
Special to The New York Times

WASHINGTON, April 28—The House ethics committee voted overwhelmingly today to look into complaints of a conflict of interest involving Representative Robert L. Sikes but balked at a major investigation into the legislative and business affairs of the Florida Democrat.

Representative John J. Flynt Jr., Democrat of Georgia, who is the committee chairman, characterized the move as being "in the nature of a grand jury action" rather than a trial.

On May 6 the committee will hold a closed hearing on the matter and has invited Mr. Sikes and officials of Common Cause, a public-affairs lobby, which laid the charges before the committee three weeks ago, to be present.

The sworn complaint alleges that Mr. Sikes, who is chairman of a subcommittee overseeing billions of dollars worth of military contracts, has benefited in financial transactions involving the Army, Navy and Air Force.

4 Violations Charged  
In its complaint, Common Cause charged Mr. Sikes with four specific violations of either the rules of the House or the code of ethics of Government service through a series of personal business transactions dating to 1961.

Congressional critics have repeatedly cited the Sikes affair as an example of the "rot" of the House to deal in a meaningful way with charges of impropriety against its members.

Today's action by the committee, formally called the House Committee on Standards of Official Conduct, stemmed from a motion offered by Representative Thad Cochran, Republican of Mississippi, stating: "That the committee conduct an inquiry into the complaint against Congressman Robert Sikes to be held on Thursday, May 6, 1976, at which inquiry the complainant and the member be invited to appear with counsel if they so choose, and that the inquiry be conducted in executive session."

Nine of the 12 members of the committee voted in favor, one voted present and two were absent. Representative Olin E. Teague, Democrat of Texas, said he had voted "present" because he had not been there for the entire two-hour meeting and had therefore had not heard the full discussion of the case.

Staff Inquiry Under Way  
Mr. Flynt told reporters after the meeting that the committee was "already undertaking a staff investigation" of the charges and that its findings would be presented to the committee members before next week's hearing.

But Mr. Flynt said that the committee had no plans to employ professional investigators to look into the charges.

When pressed by reporters to describe the depth of this "staff investigation," Mr. Flynt replied tartly, "The purpose of the staff investigation is to investigate every element of the complaint." The committee has 11 staff aides, eight of whom are clerical personnel.

Asked if the staff investigation would include visits to Mr. Sikes's District in western Florida, where the banking and land transactions took place, Mr. Flynt replied, "I don't know if we will have to send staff members out of the seat of Government."

Asked if the committee intended to hire a lawyer to work on the case, Mr. Flynt responded that the group "had no authority to hire anybody for the inquiry" and, if needed, could borrow lawyers from other Congressional organizations.

Some of the charges against Mr. Sikes involve fine points of law, but none of these professional staff members of the committee are lawyers.

No Subpoena Powers  
Mr. Flynt explained that the major difference between a committee inquiry and a committee investigation was that, if his panel had chosen the latter course, it could have exercised subpoena powers.

In its nine years of existence the committee has yet to mount a full-scale investigation of any member of the House. One was started last year but was dropped on a technicality. But in recent years the committee has looked into a few complaints against members, resolving several without major investigations.

Mr. Sikes sent word through an aide that he would not comment on the matter until after he had received formal notification of next week's meeting.

Mr. Flynt announced that the committee had also heard a progress report on its investigation into the unexplained disclosure of the report of the House Select Committee on Intelligence. But he declined comment until the investigation, by 12 former agents of the Federal Bureau of Investigation, is completed.

The investigation centers on who made a copy of the report available to newsmen, including Daniel Schorr, a CBS News correspondent here. Mr. Schorr consequently made his copy available to The Village Voice, a New York weekly newspaper, which published extensive excerpts from the still-secret report.

### Antiabortion Measure Is Killed As Senate Refuses to Debate It

WASHINGTON, April 28 (AP)—The Senate rejected today an effort to amend the Constitution to bar abortions, voting 47 to 40, against putting the issue to a final vote.

The action turned back a move by Senator Jesse A. Helms, Republican of North Carolina, and others opposed to legalized abortions to include a so-called "right to life" provision in the Constitution.

Mr. Helms told the senators that in voting against bringing up his proposal for formal consideration, they were actually voting to kill it. The vote "will be viewed by millions of Americans as a vote against the protection of the life of the unborn," he added.

The Helms proposal would have amounted to a flat ban against all abortions, in effect overturning the landmark 1973 Supreme Court decision that invalidated antiabortion laws.

Senator Birch Bayh, Democrat of Indiana, led the successful battle to table consideration of the proposal, saying that Senator Helms was trying to bypass a Senate subcommittee that had rejected the measure.

No Exceptions, Bayh Says  
Senator Bayh said that under the Helms proposal all abortions would be banned, including those deemed necessary to safeguard the life of a mother.

The proposed amendment, ending every human being with a right to life "from the moment of fertilization," would have required two-thirds approval in both chambers and ratification by three-fourths of the 50 state legislatures.

Arguing that the number of abortions performed in this country has increased dramatically since the Supreme Court

decision, Senator Helms urged the Senate to approve his proposal and "put an end to this wholesale destruction of life."

But Senator Jacob H. Javits, Republican of New York, argued that such an amendment "will set us back in the Middle Ages . . . to the day of the butcher knife and the coat hanger."

The Senate vote was a major setback to "right-to-life" organizations, which have been lobbying vigorously for Congressional approval of an antiabortion measure.

'Crisis' Laid to Court  
Many backers of antiabortion amendments have conceded that chances of getting Congressional approval seem slim.

Mr. Helms said that he offered his proposal so the full Senate could "deliberate the proposition before the eyes of the nation and go on record for or against the Supreme Court decision which created our present crisis."

The Court ruled in January 1973 that a state may not prevent a woman from having an abortion during the first six months of pregnancy. Although the case involved laws in Georgia and Texas, the effect of the decision was to invalidate antiabortion laws in nearly every state.

Senator Helms brought his proposal directly to the floor through a parliamentary maneuver that bypassed the Senate Judiciary Committee, where a subcommittee last September blocked his and a number of similar antiabortion measures.

Any senator could have blocked the move for a floor vote by registering an objection to the procedure, but none chose to do so.

### ACCORD REACHED ON CAMPAIGN BILL

#### Pact Follows Court Decision Not to Release Funds

WASHINGTON, April 28 (UPI)—House and Senate conferees agreed today on a bill changing the Federal Election Commission, hours after a court refused to release Presidential campaign funds.

Layers for seven candidates—not including President Ford—had told the United States Court of Appeals for the District of Columbia that they were in need of the money the F.E.C. has been unable to disburse since the Supreme Court cut its power March 23.

The House has scheduled a vote on the compromise bill for next Monday. The Senate can act soon after that and the measure could be on Mr. Ford's desk for his signature on Tuesday. But the commission's power cannot be restored until Mr. Ford appoints new commissioners, the Senate confirms them and they are sworn in.

The conferees signed their bill after making last-minute changes to meet the objections of business organizations that wanted stricter language concerning union access to their stockholder names and addresses for purposes of soliciting political contributions.

Earlier, the Court of Appeals said in a brief order that it had no power to modify the Supreme Court decision, which prevents the commission from awarding matching campaign funds for the time being.

"This court is of the view that the judgment issued by the Supreme Court leaves this court without power to grant relief sought by the intervenors," the court ruled.

### Reduction in World Birth Rate Attributed to Control Programs

WASHINGTON, April 28 (AP)—Birth control programs have spread across the globe and have contributed to a significant decline in birth rates in the last decade, a new Government-financed study said yesterday.

The years of 1965-75 will go down in history "as the period of world awakening to the problems of rapid population increase and their effects for individuals and societies," it stated.

The study said that more than two-thirds of the world's population lived last year in countries with birth-control programs of some kind. It added that birth rates were falling faster than death rates for the first time in many years.

The study was prepared by the Population Reference Bureau Inc., a nonprofit educational organization, under contract with the Agency for International Development.

It said that the world birth rate declined from 34 per 1,000 people in 1965 to 30 in 1974 and could drop as low as 20 per 1,000 within 10 years.

The United States birth rate was 15 per 1,000 in 1974, down from 19 in 1965.

"The decline in birth rates and natural increase levels taking place between 1965 and 1974 indicate that the world is at least headed toward, rather than away from, a more slowly increasing population," the study said.

The overall annual growth rate of the world population was still high at 1.5 percent in 1974, and the world's population reached four billion this year, the study noted.

But it also said that population programs had had "a marked effect" on population growth in three of the world's

most populous nations, China, India and Indonesia.

Also recording significant results have been South Korea, Taiwan, Hong Kong, Cuba, Costa Rica, Jamaica and most of the world's industrialized nations, it said.

The rate of natural increase in population was stationary in Latin America and the Near East and rose slightly in Africa, it was said.

A major reason for the success and spread of planning programs in underdeveloped nations, the study said, has been financial support from industrialized nations. Such support totaled nearly \$1.1 billion in 1965-74, including \$732 million from the United States.

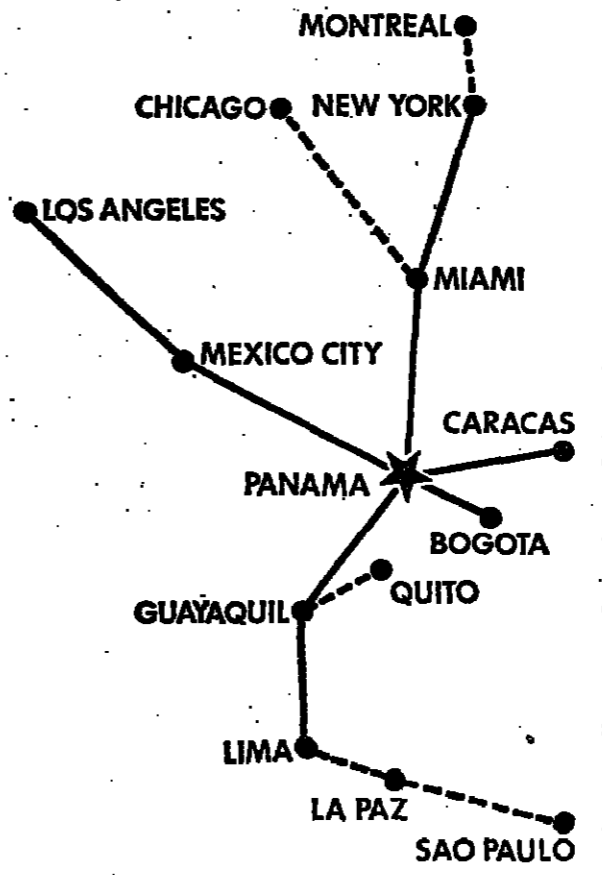
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Photo by George Kalinsky

## Chess: To Play a Best-Played Game Opponent Also Must Play Best

By ROBERT BYRNE

It may appear laughably obvious to say that winning a best-played-game prize against one of the world's top competitors is a difficult task, but this remains true even when the strategic conception is absolutely correct and the game is won.

To obtain such a prize, it is necessary that the opponent choose the most rational defense, the one whose plausibility can be shattered only by scintillating play. The problem is that this critical line will too often be the first that a strong opponent will consider and then reject because the flaw in the defense will not escape his analysis.

Having determined that he is inevitably heading for a loss, the opponent may despondently pick a far inferior series of moves, which are defeated in a routine way underscoring of a best-played-game prize.

A look at the encounter between Lajos Portisch and Bent Larsen in the fourth round of the Las Palmas International Tournament will show this happening.

Playing 3 . . . P-N6 and 4 . . . O-O against the English Opening has the drawback that White, by 5 P-QR3, BxN; 6 QxP, obtains the bishop pair while retaining a flexible pawn structure. Portisch was soon able to get in 14 P-B5, ensuring that the position would not become blocked.

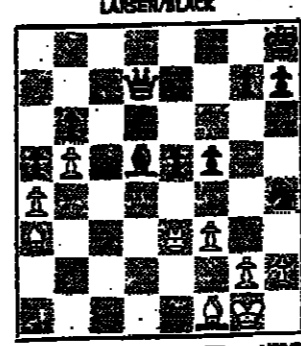
Portisch's 20 B-R3, bringing his mopped-up QB to bear on the black QP—the anchor

of the black center—was not as innocuous as it seemed. After the game, Larsen remarked that it was vital for him to have unpinned his QP by 20 . . . KR-Q1 so that Fortisch's 21 N-Q2 could have been answered by 21 . . . P-Q4.

Instead, Larsen got himself into trouble with the irrelevant 20 . . . K-R1, although he hoped to make a strong recovery by the exchange sacrifice 24 . . . RxN; 25 PxR, NxBP, which was intended to yield a pawn and pressure against the white king position.

But Portisch sharply wrecked the plan by the counter-sacrifice 26 Q-Q3, leading, after 29 Q-K3, to an ending totally dominated by the white QB, despite White's being a pawn down.

Portisch's profound conception had centered on the critical line 29 . . . Q-QB2; 30 B-N2, N-N3; 31 P-R4! P-B5 (31 . . . NXP could have led to 32 QxP, QxP; 33 BxQ, after which the white QB can pick up both of Black's



Position after 29 Q-K3

queenside pawns and the white QNP will cost Black a piece); 32 Q-B3; QxQ; 33 BxQ, P-R4; 34 B-Q3, B-B2; 35 BxRPI PxR; 36 BxN, B-Q4 (36 . . . BxB permits White to queen after 37 P-N6); 37 B-K4, winning a piece and the game.

Had this been played, Portisch might well have received the prize for the best-played game, but Larsen saw the line too, gave up on it, and numbly entered into 29 . . . P-K5; 30 PxP, BxP; 31 QxP, losing the QNP and making things very easy for White.

Portisch's 33 B-N2, threatening 34 QxPch, cost Larsen a piece, and after 33 . . . K-R2, by the fork 34 Q-K7, and 35 Q-Q7, with a mating net, forced Larsen's resignation.

ENGLISH OPENING			
White	Black	White	Black
1 P-QB4	N-KN3	14 P-B5	P-QN3
2 N-QB3	P-K3	15 PxQP	PxP
3 N-B3	B-N5	16 R-QB1	B-N2
4 Q-B2	Q-O	17 O-O	R-B1
5 P-QR3	BxN	18 Q-N1	Q-Q2
6 QxP	P-Q3	19 P-QR4	N-N3
7 P-QN4	P-R4	20 B-B3	K-R1
8 B-N2	N-B3	21 N-Q2	B-N2
9 P-K3	N-K5	22 P-B3	N-Q4
10 Q-B2	P-B4	23 RxR	RxR
11 B-K2	P-QR4	24 N-B4	RxN
12 P-Q2	N-K2	25 PxP	NxBP
13 P-N5	N-K2	26 Q-Q3	NxR

## Bridge: Stayman Foursome Leading In the Grand National Final

By ALAN TRUSCOTT

A foursome headed by Sam Stayman of New York holds a commanding lead going into the second half of the New York Grand National final tonight. Play will begin at 6:30 P.M. at the Barclay Bridge Club, 75-35 31st Avenue, Jackson Heights, Queens.

This is one of the few occasions on which bidding screens are used: Players cannot see each other during the bidding and the possibility that players will accidentally gain improper information from their partners' demeanor or speed is reduced almost to zero.

In the first half of the match, played Monday night at the Cavendish Club, 680 Madison Avenue, the Stayman team, which includes Martin Scheinberg, Matt Granovetter and Jerry Shakofsky, built up a lead of 43 international match points in 32 deals. Their opponents are Harold Lillie of Woodmere, L.L. Harry Stappenbeck of Uniondale, L.L. and Ken Lebowitz and Dave Berkowitz of New York City.

The Stayman team gained heavily on the diagrammed deal, when their opponents misjudged the situation at the end of a confusing competitive auction. The East-West bidding shown might seem to have been the victim of some typographical accident, but was in fact due to an unusual convention.

Shakofsky and Granovetter, sitting East and West, were using a "simple" version of a system that Granovetter helped to develop and with which he has had great success. Two diamonds promised either a weak two-bid in a major suit, or a normal opening with 2-2-4-5 or 2-4-4 distribution. This four-pronged maneuver keeps everyone guessing for a round or so of bidding.

A cautious East would have bid two hearts, indicating a desire to play in that contract if West held a weak two-bid in that suit. However, Shakofsky aggressively bid two no-trump, indicating an intention to reach game.

South showed his clubs, and West jumped to four diamonds, apparently rebidding his singleton. This was a "transfer" asking East to bid four hearts. As East was due to play hearts in any event this might seem unnecessary, but a bid of four hearts by West would have asked for four spades, thus effecting a genuine transfer of the contract into the East hand.

It is clear that our hearts was destined to fail by a trick, for South would have cashed three club tricks, noted his partner's discards, and led a diamond. But to their subsequent regret North-South got into the act. North doubled four diamonds to indicate a lead. Against four hearts he wanted to have his partner lead a diamond so that he could return his singleton club.

But this plan went "agley," as Scotland's national poet would have said. South assumed that his partner held a long diamond suit, in which case a sacrifice seemed a good move at favorable vulnerability. He tried five diamonds, which East was happy to double.

West cashed the king and queen of spades and shifted to the heart jack. East won with the ace, cashed the spade ace, and played his last spade. South ruffed with the diamond queen, but then had to lose two trump tricks to East. The result was down four, for 700 to the Stayman team.

Today's Hand  
NORTH  
♦ J873  
♥ 6542  
♦ A J105  
♣ 3

WEST  
♦ KQ  
♥ KQ9J83  
♦ 8  
♣ J1082

EAST  
♦ A1062  
♥ A7  
♦ K862  
♣ 974

SOUTH (D)  
♦ 954  
♥ 10  
♦ Q743  
♣ AKQ65

East and West were vulnerable. The bidding:  
South West North East  
Pass 2♦ Pass 3 N.T.  
3♦ 4♦ Dbl. 4♥  
5♦ Pass Pass Dbl.  
Pass Pass Pass  
West led the spade king.

In the replay, East-West reached an accurate heart part-score, making 140, so the phantom save swung 17 international match points. Stayman gained 11 points when he was headed for a loss of 6.

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MEDICAL NEMESIS. The Expropriation of Health. By Ivan Illich. 294 pages. Pantheon, \$8.95.

It is the doctors who are making us sick—the medical establishment has become a major threat to health—argues Ivan Illich, megacritic, in his compactly written, heavily footnoted, highly articulate polemic, "Medical Nemesis: The Expropriation of Health." We are experiencing an epidemic of iatrogenesis (from iatros, the Greek word for "physician," and genesis, or "origin"), meaning illness caused by doctors. Which argument, viewed in a narrow perspective, may sound outrageous. For although in the part of his book called "Clinical Iatrogenesis" Mr. Illich goes so far as to claim that "the effectiveness of medical intervention in combating" both infectious and non-infectious diseases is "questionable" (major diseases such as tuberculosis, cholera, dysentery, and typhoid "peaked and dwindled outside the physicians' control"; new killers inevitably replace old ones; rise in human life expectancy can be attributed more to environmental improvements than to the "defeat" of disease), Mr. Illich's position here is not so overwhelming as to prevent us from getting our next strep throat swabbed, our next broken bone set and our next pregnancy monitored as closely as medical science will permit.



Portrait of Ivan Illich

and now lives in Cuernavaca, Mexico, has been unfolding in such books as "Celebration of Awareness" (1969), "Deschooling Society" (1971), "Tools for Conviviality" (1973) and "Energy and Equity" (1974). As he writes near the conclusion of the present volume, "Like time-consuming acceleration, stupefying education, self-destructive military defense, disorienting information, or unsettling housing projects, pathogenic medicine is the result of industrial overproduction that paralyzes autonomous action."

Cautious Prescriptions

And this critique must in turn be read in the light of Mr. Illich's personal cosmology, which is of an Arian disposition and holds that when man, driven by greed (pleonexia) and unbounded presumption (hubris), steps beyond the limits that the gods have set for him, divine vengeance is visited on him in the form of Nemesis. "Modern nemesis is the material monster born from the overarching industrial dream." "Medical nemesis" is what Mr. Illich calls the "self-reinforcing iatrogenic loop of negative institutional feedback" that now threatens to strangle us.

Continuing Critique

But it is not in a narrow perspective that Mr. Illich ultimately views the medical establishment. Indeed, further along in his book he concedes that many sorts of medical attention, including "judiciously selected complex services, could... fit into a truly modern culture that fostered self-care and autonomy." It is rather with "second-level iatrogenesis" that he is most concerned—with "social iatrogenesis," "when health policies reinforce an industrial organization that generates ill-health," and with "cultural and symbolic iatrogenesis," "when medically sponsored behavior and delusions restrict the vital autonomy of people by undermining their competence in growing up, caring for each other, and aging, or when medical intervention cripples personal responses to pain, disability, impairment, anguish, and death." ("Dying has become the ultimate form of consumer resistance," writes Mr. Illich with typical pungency at the end of a marvelously pithy history of humankind's evolving attitude toward death.)

In fact, ultimately "Medical Nemesis" must be read as another installment in a continuing critique of industrial society that Ivan Illich, who was born in Vienna,

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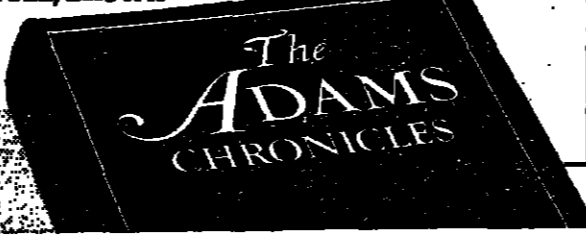
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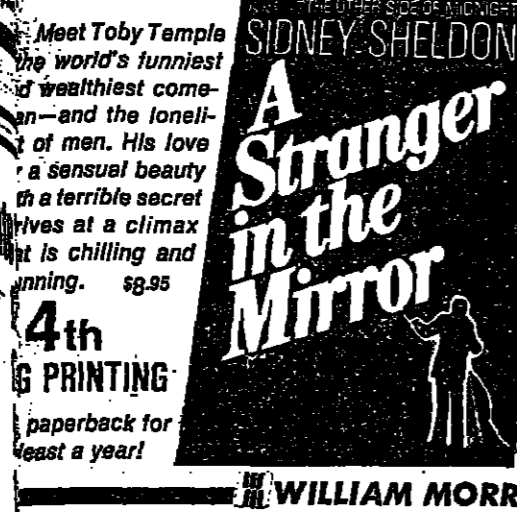
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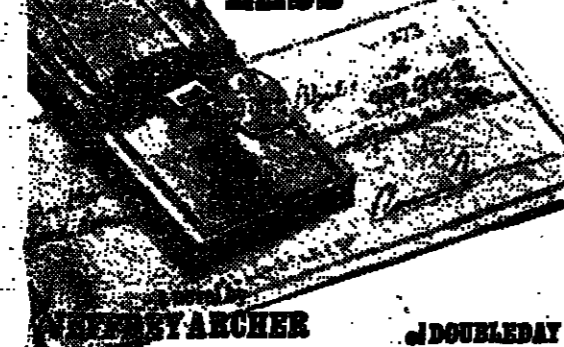
The master storyteller who wrote The Other Side of Midnight once again uses his extraordinary skills to bring you this new bestseller about a super star/super heel...



WILLIAM MORROW

When you've been stung for \$1,000,000, it's easy to get mad. It's better to get even.

NOT A PENNY MORE, NOT A PENNY LESS



DOUBLEDAY

TO PREVIOUS PUZZLE

ACROSS: 1. DOG 2. EYEBROW 3. SORRY 4. THEATRICAL 5. SEA 6. BLATANT 7. AIR 8. LAUREL 9. TWO 10. RILEY 11. TIRE 12. REELED 13. NYASIA 14. DELI 15. TOTO 16. BENT 17. PAUL 18. JONES 19. ADA 20. LOT 21. BENT 22. VICTOR 23. ERAT 24. SENSE 25. REVE 26. LEBE 27. SEEP

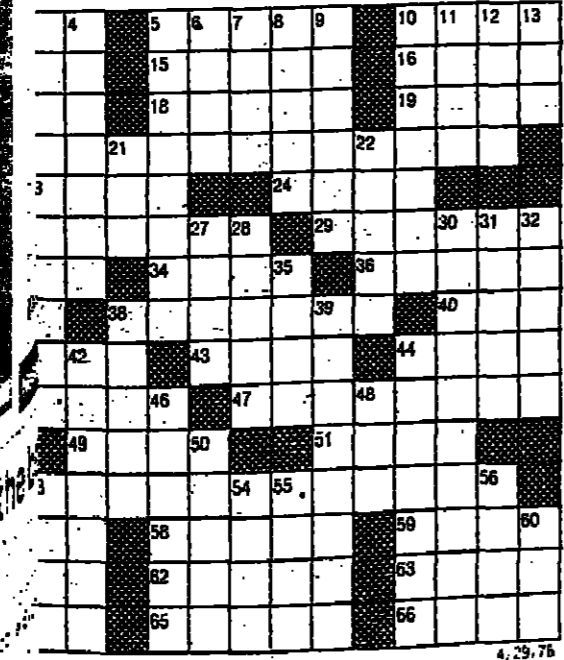
Doing "wrong" things now and then is "right" for the soul.

One of the many heartening thoughts about ourselves from the private notebook of Dr. Theodore Isaac Rubin now published in a little book entitled LOVE ME, LOVE MY FOOL. It's a special gift for someone you care a lot about. \$4.95 at all bookstores. From MCKAY

ACROSSWORD PUZZLE

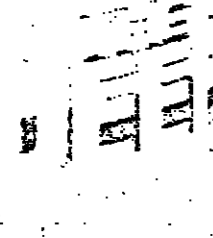
Edited by WILL WENG

- ACROSS: 57 Word with apparent or presumptive air 58 Shape of an ouf 59 Revenuer 61 Stout ingredient 62 Thighbone 63 Shaw's birthplace 64 gin 65 Finger guides on a ukulele 66 Beat it! DOWN: 1 Concorde, e.g. 2 Kimono paris 3 Shoot the... 4 Took forty winks 5 Ritual suicide: Var. 6 Hymn word 7 Incline, as a ship 8 Jacob's wife 9 Self- 10 Slow, in music 11 Place for a den mother 12 Metronome sound 13 Corrida call 21 Young sheep 22 "I dream I in..." 25 Detail 26 Get dramatic 27 Outfits 28 Artist's need 30 Kind of needle 31 Basket grass 32 Took out 35 Prefix for stat 38 Handsome, in Spain 39 Those against 42 City near South Bend 44 What atropine does 46 Detonate 48 York, for one: Abbr. 50 Frogman 52 Close 53 Hattie 54 "A rose by any other..." 55 Flood, as with supplies 56 Mother of F.D.R. 57 "Pinafore" 60 Forest Hills gear



4, 29, 76

More menace from PETER BENCHLEY author of JAWS.



Turn for the

# The New York Times

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## New Start in Transit

The transit wage agreement, made under the bludgeon of an illegal strike three weeks ago, is now a dead letter. Informed by Attorney General Lefkowitz that the proposed cost-of-living adjustments violated the state-mandated wage freeze for New York City, Governor Carey has rightly directed that the pact be rewritten to conform to law.

It now becomes the obligation of the Transit Authority and the Transport Workers Union to do what they should have done in the first place: negotiate a pact which the Emergency Financial Control Board can conscientiously certify as representing "an acceptable and appropriate contribution toward alleviating the fiscal crisis of the city." Clear-cut assurances of increased productivity are a necessary accompaniment of any such pact. Even now the public does not know what, if any, such assurances were contained in the original accord.

## Carter in Pennsylvania

Is Jimmy Carter headed for a first-ballot victory at Madison Square Garden?

Running in a four-man field, former Governor Carter achieved victory in the important Pennsylvania primary. Yet Mr. Carter's plurality constituted little more than one-third of the total Democratic vote cast, hardly a conclusive endorsement in itself.

The margin of victory may in part have been accounted for by the money famine suffered by Senator Henry M. Jackson and Representative Morris K. Udall. Because he looks like a winner, Mr. Carter could raise money and make up for the sudden cutoff of Federal matching funds, while his opponents were less successful in doing so. To that extent, Congress's irresponsible dawdling over the revision of the campaign finance law was a factor in Tuesday's outcome.

But Mr. Carter still achieved an impressive victory, particularly in winning the biggest share of the delegates. By his own campaigning and with the help of an improvised volunteer organization, he overcame what—on paper—was a formidable coalition of labor unions and political machines behind Senator Jackson. The former Georgia Governor has once again shown that he has the ability to evoke favorable interest from voters across the political spectrum, and to do well in the inner city and in suburbs, among farmers, factory workers, and voters in small towns.

The major negative conclusion from the Pennsylvania vote concerns the weakness of Senator Jackson's campaign. He failed to arouse the contagious personal enthusiasm needed to transform his formal organizational support into an effective political force. He is respected and admired as a knowledgeable public servant, but he seems to generate no excitement.

Senator Hubert H. Humphrey is much better at stirring the enthusiasm of audiences. If Senator Humphrey had been on the ballot in Pennsylvania, he might have won decisively. But voters make choices among real candidates and Mr. Humphrey has consistently refused to enter the primaries. His prospects now depend upon his skill at political infighting and only indirectly on his popular appeal.

Governor Carter is well-positioned to survive any guerrilla warfare on the long march to Madison Square Garden in July. He is not only running in the primaries and winning them but he is doing so because he has intelligence, imagination, and superb political instincts. The qualities that have brought him so far are hardly likely to fail him now.

## End of the Affair

When a mistake has been made, only a forthright apology can heal the wound. Vice President Nelson A. Rockefeller made a serious and uncharacteristic mistake recently when he casually impugned the patriotism of two members of Senator Henry M. Jackson's staff at a private meeting with Georgia Republicans.

The affair was all the more curious inasmuch as Mr. Rockefeller has long been personally acquainted with one of the individuals whom he maligned. It is impossible to determine whether he was expressing genuine concern about the possibility of Soviet infiltration of Capitol Hill staffs, giving vent to personal resentment at Senator Jackson's attacks on Secretary of State Henry A. Kissinger, trying to score points with his conservative audience, or acting upon some mixture of all three motives.

What matters is that the Vice President has looked squarely at his mistake and sought to undo it. His handsome public apology brings this curious affair to an honorable end.

## Virgin Islands Tragedy

For anyone who has ever landed at the Harry S. Truman Airport in St. Thomas, Virgin Islands, the surprise must be not that a plane crash killed several dozen people the other day, but that this airport has not been the scene of many more accidents and fatalities than have actually occurred.

The basic problem is obvious to the naked eye. It is the combination of a relatively short runway and two hills which stand high and menacing not far beyond the end of the runway. The margin for pilot error—especially in a high-speed jet—is small, and it is a great tribute to the average skill of pilots landing there that crashes have been few. Yet residents of the Virgin Islands and many visitors have long been uneasy about the basically unsatisfactory situation, and there has been insistent pressure to lengthen the runway, slice off the peaks of

the hills, or change the runway's direction, all alternative means of increasing the margin of safety.

Apparently the airport did meet minimum F.A.A. standards and it is true that there was no fatal crash between Dec. 28, 1970, and this week. Nevertheless, the potentialities for trouble were so evident that it is hard to understand why it has been so difficult for Washington to respond to the Virgin Islanders' request for funds needed to improve the safety situation.

The lesson of this airport must raise a sobering question: How many other so-called "marginal" airports are there in this country, where every day every plane landing or taking off plays a kind of Russian roulette with the lives of both crewmen and passengers?

## Political Jawboning

President Ford certainly ought to be "disturbed"—as he says he is—about the 7.9 percent increase for flat-rolled steel announced by the Wheeling-Pittsburgh Steel Corporation. But what he intends to do about it is another matter.

Thus far, all he has done is to say that he wants his Council on Wage and Price Stability to "look into it," a desire that came as news to the price-watching agency, which has in fact been watching in silent wonder as steel and other industrial prices have begun to move up more sharply with the revival of business.

Whatever modest effect Mr. Ford's expression of disturbance may have on other steel companies—some of which have indicated that they may slightly undercut Wheeling's 8 percent increase—it seems highly improbable that the President would be willing to get into a confrontation with the steel industry now (or ever) as President Kennedy did in 1962. On that famous occasion, Mr. Kennedy thought he had been betrayed by the steel industry after he had used his influence to hold down the wage settlement to a level that would not necessitate a significant price increase.

Even Mr. Ford may have some misgivings, following his decision to issue what amounted to an ultimatum to foreign steel producers to accept voluntary quotas on shipment of certain types of specialty steel to the United States, under threat of imposing compulsory quotas. Mr. Ford's protectionist move, which jeopardizes United States' hopes for open markets for American goods abroad, dramatizes the danger to consumers—and to price stability—of curbs on foreign competition.

It is ominous to see steel prices going up so sharply so early in the recovery. The steel industry is operating at only 74 percent of capacity. Similar behavior in other industries could cause the recovery to founder well before the economy has climbed back to full capacity use and full employment.

The steel industry's leaders say they are simply trying to protect or improve their profits so that steel can play its full part in the recovery—and to do so, steel must pass on its cost increases. The industry would regard it as unfair and damaging for the President to try to "jawbone" down steel prices in the face of rising wage and other costs.

Indeed, in the absence of a firm policy to restrain both wages and prices in industries where either labor or management has strong market power, it is difficult to see what good the President can do by the kind of careful, gentle jawboning he is pursuing. However, he may do himself some good politically; his jawboning may even reassure some people that he is still concerned about inflation, and the steel industry that he isn't in the mood to interfere with its price actions, just so long as they aren't too huge and too soon.

## Irrelevance in Rhodesia

Rhodesia's black nationalist leaders used the right word—"irrelevant"—to describe Prime Minister Ian Smith's transparent move in appointing four tribal chiefs to an otherwise white Cabinet. It has long been evident that, as his position worsened, Mr. Smith would try to confuse world opinion by bringing compliant blacks into his white minority Government.

Tribal chiefs in Rhodesia are paid Government servants. They have acquiesced cheerfully in nearly every move Mr. Smith has made in the last twelve years to entrench white domination in a country where blacks outnumber whites, 24 to 1. But these traditional figures cannot speak for a black majority that has become increasingly wary of tribal politics and steadily more hostile to a white regime that has traveled far on South Africa's apartheid road.

Indeed, the question in Rhodesia today is whether even Joshua Nkomo, a dedicated but moderate nationalist, can have much impact on a situation that is drifting steadily in the direction of catastrophic racial war. Only one course offers much hope of arresting that drift and preserving the possibility of a peaceful future for Rhodesia that would include a role for its white residents: Mr. Smith must agree to negotiate seriously under a timetable calling for majority rule in two years, as proposed by Britain, vigorously endorsed by Secretary Kissinger and reinforced yesterday by his offer of United States good offices to help effect such a settlement.

By blowing up a Red scare and appealing to racist and reactionary elements in this country, Mr. Smith hopes to sidetrack the "unrelenting opposition" to his white rule that Mr. Kissinger promised in Zambia. Thus it is essential for the Ford Administration to make good another Kissinger pledge: to work for the early repeal of the Byrd Amendment, under which this country imports Rhodesian chrome in violation of United Nations sanctions.

There is no more effective way to persuade both black and white Africans that the United States genuinely supports self-determination and majority rule in Rhodesia—and no better way to salvage whatever chance may remain for a peaceful solution in southern Africa.

# Letters to the Editor

## Sea Law: The 'Appalling' U.S. Concessions

To the Editor:  
As one who has followed and participated in the Law of the Sea negotiations for nearly ten years now, I found the concessions on deep-seabed mining outlined by Secretary of State Kissinger earlier this month to be appalling. It should now be obvious to all that the dominant force in developing and implementing U.S. oceans policy is the Department of Defense.

In its quest for free transit through international straits and high-seas navigational rights within 200-mile economic resource zones, D.O.D. is apparently willing to trade off any other interest of any other segment of American government or industry.

The objectives of insuring a free flow of commerce on the world oceans and mobility for warships of the United States Navy are highly commendable ones. However, to acquiesce in price and production controls for deep-seabed minerals, effective coastal-state control over oceanographic research up to 200 miles from the coast and other demands of underdeveloped countries is completely unnecessary and unwarranted.

Under existing international law we have the right to mine deep-seabed minerals without any price or produc-

tion controls; the right, without advance consent, to conduct oceanographic research in the waters off the coasts of any nation beyond its territorial sea, and the right of high-seas freedom of navigation beyond the territorial sea. It is absurd to trade away existing rights to obtain still other existing rights.

All of these existing rights could and should be maintained by an assertion of political will on the part of the United States and the backing of that will by the threat or use of force where necessary. To do otherwise is to engage in a dangerous policy of appeasement toward the third world.

The consequences of a failure of the Law of the Sea Conference to produce a comprehensive and widely accepted treaty are not at all adverse for the United States. Chaos and anarchy will not follow the collapse of this "floating debate," and U.S. interests may well be better served by its demise. The United States should therefore cease its policy of obtaining a Law of the Sea treaty at any price.

H. GARY KNIGHT  
Baton Rouge, La., April 22, 1976  
The writer is Campanile Professor of Marine Resources Law at Louisiana State University.

## Flu Program's Flaw

To the Editor:  
Your April 6 editorial "Flu-Vaccines called for public debate on the influenza immunization program posed by the President and approved by the Congress. Until a few days ago, the swine flu and its significance was not known to most Americans—most physicians. But it has become known to influenza specialists in several countries. If the swine flu is as serious as they are concerned, and they are sufficient to have advised the President to pose the immunization program, everyone should be concerned.

Certainly, the decision to fund it is a gamble. The swine flu virus disappeared in New Jersey, a new virus may appear on the scene, and replace the current Hong Kong subtype, or the current Victoria of the virus may continue to epidemics for the next few years. The gamble is on the side of public health practice.

If there is a serious defect in President's program, it is that sufficient funds have been allocated. Of the \$135 million, \$28 million is earmarked for studies to deliver the vaccination; bulk of the funds is slated for production.

This \$28 million averages 19 cents per person. The actual cost per person is more on the order of 30 cents, based on careful cost estimates. Some estimates put the cost of delivery at 60 cents.

To make up this difference, state and city governments will have to bear an enormous and perhaps unbearable burden, which in some areas can be met by suspending or shifting other vital services. Even if such steps are taken, some localities may not be able to come up with required money.

To legislate a vital program to provide sufficient funds for implementation represents an abdication of responsibility. The Congress attached a \$1.8 billion job program to the President's flu bill. It would have shown more wisdom had it allocated other \$38 million to pay the cost of vaccinating every American.

PASCAL JAMES IMPERATO  
New York, April 21, 1976  
The writer, the city's First Health Commissioner, heads the Influenza Immunization Task Force.

## Of Jewish West Bank Settlements

To the Editor:  
Your April 20 editorial "Mideast Undercurrents" completely misses a crucial point: the right of Jews to live and settle in their ancestral (and recent) homeland, the West Bank.

The West Bank had Jewish settlements from the times of the patriarchs. This area, known as Judea and Samaria, was predominantly Jewish in biblical times and maintained Jewish presence throughout the ages. In the 1930's, rioting Arabs killed scores of Jewish settlers and Yeshiva students in Hebron. In 1948, the Jordanian Arab Legion, together with Arab mobs, killed many settlers and evicted the rest of the Jewish population. After the 1967 war, many Jews returned to the region and built up their homes, settlements and kibbutzim.

Your editorial terms these returnees "shortsighted zealots." Despite such misguided sentiments, the West Bank will not be made Judenrein again.

SAMUEL A. KOSOFKY  
New York, April 20, 1976



of view—legal, moral and common sense.

It is time for Israel to turn a deaf ear to its extremists. It is time to move from confrontation to conciliation. It is time for the moderate elements to formulate a solution that will be just to the Palestinians as well as considerate of Israel's interests. And it must be done soon, for time is no longer on Israel's side—as even former Foreign Minister Abba Eban has come to realize.

It is encouraging that Mr. Eban now calls on his countrymen to accept the best deal they can make in the West Bank and in Gaza. Not so long ago he was berating the P.L.O. as just a gang of bloodthirsty murderers outside the pale of human rights and aspirations. It is even more encouraging that Israeli officials at the U.N. have at last met in the same room with representatives of the P.L.O.

Let us hope we are at last on the eve of a breakthrough that will finally bring peace to the Mideast.

ISIDOR GORN  
Croton-on-Hudson, N.Y., April 21, 1976

## The Nuclear Advocates

To the Editor:  
This responds to the April 10 letter by B. F. Langer of Westinghouse. Mr. Langer unsuccessfully attempted to blunt the growing technical controversy over nuclear power and made one statement which is nonsense.

Mr. Langer claimed that the major engineering societies advocate nuclear power development because they bring together experts with conflicting interests, so selfish interests can be challenged. He should reconsider his statement and review the membership of his own Nuclear Power Codes and Standards Committee of the American Society of Mechanical Engineers (A.S.M.E.). Mr. Langer is identified as past chairman of that committee, but he failed to identify himself as an employee of Westinghouse Electric Corporation, Nuclear Energy Systems Division. Other members of the 1975-76 A.S.M.E. Nuclear Committee have the following affiliations: Chairman, William E. Cooper, Tele-dyne Materials Research Co.—a firm which consults for atomic industry corporations.

Vice chairman, Howard F. Dobel, Babcock & Wilcox Co.—a vendor of nuclear reactors and components.

G. A. Arlotto, Nuclear Regulatory Commission (N.R.C.)—the Federal agency which is coming under increasing criticism for its poor regulation of the atomic industry.

S. A. Bauer, Battelle Memorial Institute—an Ohio research firm whose projects include contracts with the

Energy Research and Development Administration (ERDA), the Federal agency which develops and promotes nuclear power.

Sidney A. Bernsen, Bechtel Power Co.—which builds nuclear power plants.

Lawrence J. Chockie, General Electric Co., Nuclear Energy Division.

Robert L. Dick Jr., vice president of Construction, Duke Power Co.

Wendell P. Johnson, Yankee Atomic Electric Co.

Frederick H. Light, Philadelphia Electric Co.

Harold E. Northup, manager, General Atomic Co.—a subsidiary of Gulf Oil which has interests in nuclear power and reprocessing plants.

Roger F. Reedy, senior engineer, Nuclear Division, Chicago Bridge and Iron Co.—which sells reactor piping and equipment.

William R. Smith, also with Bechtel.

T. H. Stickley, Aerojet Nuclear Co.—which performs research for the N.R.C. and ERDA.

Perhaps the members who could be considered more remote from the nuclear power industry are H. S. Spitz, Association of Iron and Steel Engineers, and William J. Woolcott, the A.S.M.E. staff representative on the committee. These gentlemen are obviously substantially outnumbered by members whose companies have a vested interest in atomic power development. To claim that the A.S.M.E. Nuclear Committee is an objective and balanced body is patently absurd.

RALPH NADER  
Washington, April 21, 1976

## Anti-Pollution Ticket

To the Editor:  
An April 16 news article, in that, for revenue reasons, the city finally attempting to enforce illegal traffic and parking regulations in the downtown business area. A without the city realizing it action also enforces an existing environmental law, strategy B-1a Transportation Control Plan which the city has been legally dated to implement since April but which it has essentially ignored.

The T.C.P. was developed by the city in response to the Federal which requires us to clean up polluted air. The city, however, refused to honor its own plan. It seems politically more popular to believe that environmental law money and jobs are in, in a bid for business. Such reasoning indicates a gross misunderstanding of the facts. Strategy B-1a is an example. Strict enforcement of

and parking regulations, increased ticketing and towing violators, is environmentally beneficial since it should help ease congestion and speed vehicular flow and help reduce automotive pollution. It has always been obvious to implementation of this strategy also generates revenues for the city and provides jobs. In addition interviews with over fifty city businessmen, including restaurant owners, large and small theater operators, hotel managers, etc., clearly indicate illegal parkers are a major complaint.

All of the other T.C.P. strategies provide economic along with environmental and health benefits. May the city start to examine facts, rather than the political enforcing our environmental [Editorial April 28.]

JUDITH DWORCZAK  
Exec. Director, New York City Committee for Public Inquiries  
New York, April 20, 1976

## To Curb Welfare Fraud

To the Editor:  
It seems evident that a far more effective way to reduce fraud in the administration of welfare would be to have all recipients (and hence all applicants) fingerprinted and acquire at least a thumb print as of the endorsement of all check Anticipating that this suggestion will evoke screams of dismay from certain sources, it should be noted that countless law-abiding citizens have been fingerprinted, in any objection, in a large variety of cases, even including enlistment in armed services.

Computerization, which has already a high state of proficiency coupled with our extraordinary superior Berrillon System, without question, greatly curbs and payments to dishonest individuals.

WILLIAM R. BOYD  
New York, April 22, 1976

The Times welcomes letters from readers. Letters for publication must include the writer's name, address and telephone number. Because of the large volume of mail received, we regret that we are unable to acknowledge or return unpublished letters.

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Handwritten signature: J.P. [unclear]

to the Editor  
U.S. Concessions

# But The Patient Died

This operation in Cambodia has been a tremendous military success... successful far beyond expectations of any of those planned it."  
—Gerald R. Ford, House minority leader, June 22, 1970.

By Anthony Lewis

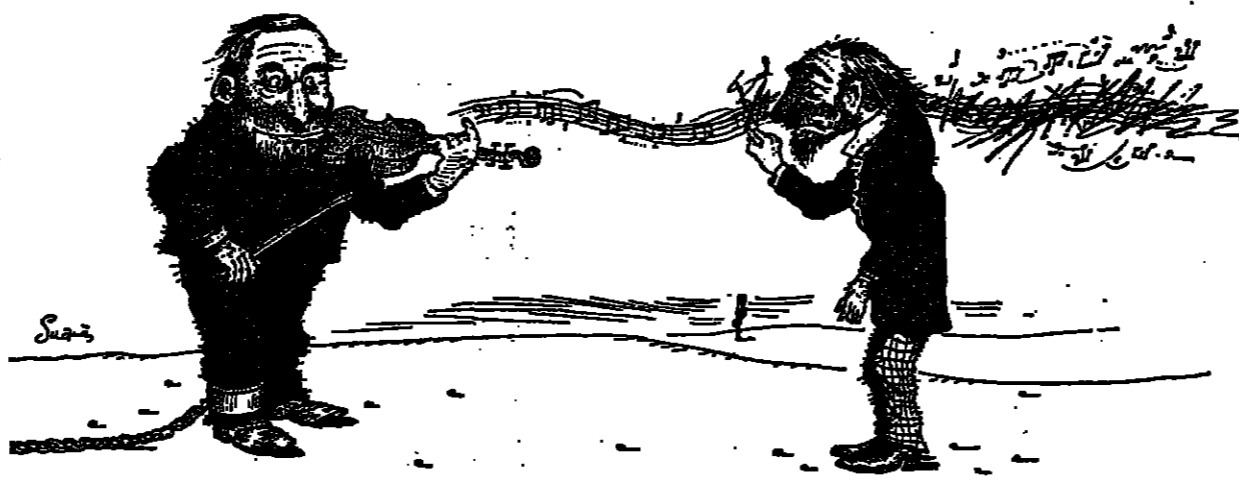
April 30, 1970, six years ago now, President Nixon ordered States forces into Cambodia, day that will live in the shame of Americans who know the good in the country and suffer when evil is its name.  
Nixon and his national security adviser Henry Kissinger, gave assurance that the Cambodian operation be limited in purpose and in time. It was none of those it began five years of wanton, senseless destruction: the destruction of a civilization. If there is a glimmer in this life or another, Americans will bear a heavy burden for what they did to Cambodia.  
As a time of remembrance and honor for the tragedy of American soldiers in Indochina. It all came of just one year ago: April 30, 1970, when the American-supported army in Saigon surrendered, and the American soldiers were sent back home. It seems so far away it seems so recent. I blot the unpleasant memory.  
The new book brings back the reality of America in 1970. It is "The Last Day," a paperback by John Pilger, in Saigon for The London Review of Books. He interviews the disordered evacuation, marked by illuminations, lies. It is a difficult read without tears. Cambodia was worse. Very little goes wrong in the world de-

## ROAD AT HOME

1970, no rational American official I believe that would mean war.'

be called evil; most is mere but Congressman Paul McClellan of California, was he saw Cambodia in early said that what American had done there was evil than we have done to try in the world."  
The American intervention be ascribed to ignorance. original mistake was hard to ce in, U.S. officials found it out while preserving intact of strength that they re- vival to world order.  
There were no such excuses in 1970 no rational Ameri- can could believe that more less war in Indochina. id plead ignorance or inad-

the very way the invasion need suggested that its well- not reason but obsession. ot be humiliated," Mr. Nixon would not act like "a pitiful, ant." Mr. Kissinger said his tants who opposed the in- s insufficiently "manly" and be cowardice of the Eastern ant."  
ident and his men said their nly to clean out sanctuaries thinese Communists. They hat the U.S. would not get Cambodia's emerging civil i not supply military advi- son Nol regime just installed Penh by a coup, would not missions in Cambodia except Vietnamese. The promises y broken.  
ext three years and three erican planes dropped is of bombs on Cambodia. nt \$2 billion in aid to Lon pt the civil war going for 9 years.  
y that had once been a e, where the poorest never y became a charred wast- wing refugees. A tenth of population, 800,000 people, Half the population was less.  
of 1970 was mercilessly hen the Vietnam "peace" in 1973, Mr. Nixon shifted to Cambodia, using them ut a shred of authority in resolution or treaty—very most flagrant Presidential f the Constitution in our en the end became inevi- 74, Mr. Kissinger still re- ork for a settlement that ate the damage. His policy bt to the last-Cambodian, many foresaw that the American forces into Cam- d enlarge the war, but few ine the extent of the human al disaster. The end result ot, only to decimate Can- to give it one of the most governments on earth, hat- y and reportedly impos- gleties on its own people. ders about the American sponsible. Apart from ex- untability, does any one of ver think of Cambodia, imself and despair?



... furthermore, the party of the first part, hereinafter known (for want of an all-encompassing pejorative) as the artist or greater or exhibitor, or most appropriately maker, opens without reservation that (he, she, it, other) shall, will and does give up, yield, relinquish, abandon, surrender and, in all ways not otherwise imagined or specified, turn over control of all work(s) now and forever and eternally—yes, to the last syllable of recorded time—and all manners and forms of ownership legal (and moral) over it (them), and all claims, rights, privileges and immunities appertaining thereto, on this planet and elsewhere in the solar system, to the PARTY OF THE SECOND PART, hereinafter known without prejudice as promoter, backer(s), big shot, top banana, purveyor, angel, agent, publisher, producer—or incidentally who just drifts by—and to such heirs, legatees, executors, flacks, champagne-fests of yes-men, scribes and counsels as said laborer may designate as heirs, beneficiaries, assignees, successors and executors. Moreover, said obligator hereby covenants not to covet carbohydrates, starches and sweets, not to whine, and, additionally, waives any need to breathe...

Three recent controversies have drawn attention to the need in this country for a new body of law guaranteeing the artist's right to protect the quality of his creation and to profit fairly from its success: Ken Kesey's battle against the producers of the film version of "One Flew Over the Cuckoo's Nest," the Monty Python troupe's unsuccessful struggle to keep their work off network television rather than have it censored and cut, and the attempts of two sculptors to withdraw their works from the Whitney Museum rather than have them displayed in ways that they consider destructive.

As an artist who is currently engaged in a costly and debilitating court battle about the film treatment of my first novel, I wish my fellow creators good luck, but I am hardly sanguine about their chances for success.

Until this country adopts legislation, preferably on the Federal level, that irrevocably entitles an artist to a minimum percentage of the profits of his work and certain reasonable artistic controls (no matter how many times it changes hands), books, paintings and dramatic works will continue to be sold like sacks of sugar for whatever price the artist's clout (or lack of clout) can demand at the time of negotiation.

It is a fact little known by the public that an artist normally relinquishes all creative control at the time of sale of a work, that oral promises of excellence are completely unenforceable, and that cash percentages are only received by those with enough business clout to enforce them—which rarely includes the artist.

It is possible for an author like Kesey to create a literary work that generates millions of dollars for others, and have virtually no share in the financial success of its adaptations. Furthermore, most courts in this country will uphold the producer's or collector's contractual rights, rather than the artist's moral rights—the famous French droit morale, which

By Erica Jong

American artists speak of so wistfully. If works of art were really valueless in business terms, the law would be fair. But they are not. The truth is that many works of art create great accumulations of wealth. The fact that they so rarely do so for the artist—and so often do so for the promoter—is a national disgrace.

Ken Kesey is being penalized because he negotiated the business exploitation of his book at a time when he knew nothing about business, and because the law in no way recognizes his moral right to a say in its production, or a percentage of its success.

He should not have to resort to a ruinously expensive and creatively depleting lawsuit in order to receive 5 percent of the profits generated by his work; that minimum percentage should be every artist's irrevocable legal right.

The sad fact is that many artists work for a smaller percentage of their creations than the agents and lawyers who service those same creations—and frequently they have even less to say about their fates.

Artists, however, are not supposed to worry about money. Money is crass, dirty, an unworthy subject of contemplation for those bent on spiritual growth. All this may be true. But, much as we hate to admit it publicly, money is the equivalent of power and freedom in our culture—and, as the artist turns his head to the sky to squint at spiritual growth, the promoter picks his pocket. The money that might translate into a studio to work in, the time to create another work, a reasonable amount of peace of mind, goes instead to battalions of Hollywood attorneys, flacks, assistants to assistants, who all live far better off creative work than the creator himself.

But, aside from money, another theme was evident in the Kesey case, and certainly in my own: the pathetic desire of the artist for a little respect.

As I watched Academy Award after Academy Award go to "Cuckoo's Nest," I was struck by the fact that nobody except Milos Forman even thought to mention Kesey. It was as if, having kidnapped his book, the kidnappers now had the delusion that they had created it. Not only did they not want to give the artist his financial due, but they did not even want to acknowledge his contribution.

So often, in the battles that develop between artists and their self-styled patrons, the crux of the problem is that the promoter envies and despises the artist, and wishes that he were somehow not necessary at all. Often the promoter suffers from the delusion that he is really the creator, and the very presence of the artist is an embarrassment because it gives the lie to his self-delusion.

Artists understandably get bitter about this sort of thing, but their bitterness turns out to be even worse for them than protesting at all. Not only do they get the reputation for being "illigions," difficult to deal with, prima donnas (merely for wanting what should be theirs by right), but their work itself may be poisoned by protest. The anger at their own oppression has no place to go, so it may go into self-destruction, self-loathing, depression, or, still worse, into their future works—if they are lucky enough to have future works.

Somehow, we must find better ways of nurturing the people who nurture us.

Erica Jong is the author of "Fear of Flying" and three books of poetry, the most recent of which is "Loveroot."

# The Carterwagon Rolls

By William Safire

WASHINGTON, April 28—Jimmy Carter is no longer merely the Democratic front-runner. With Pennsylvania in his pocket, he is now the likely Democratic Presidential nominee, an Emergence, that has different effects on several groups:

1. The New "Outs." The old Democratic Establishment "Ins" are, at the moment, the new "Outs." They will coalesce to form the sort of desperate stop-movement that Nelson Rockefeller threw together behind William Scranton in 1964 to stop Barry Goldwater, and with the same meager result.

But the real political purpose of a stop-movement is often not so much to derail a moving handwagon as to induce its riders to treat kindly with the pole, not yet aboard. The ousted powers need to make a show of strength in order to be able to acquiesce in dignity.

Thus, Mr. Carter's opposition in the Democratic field, now unhorsed, will climb on hopeful Hubert Humphrey. The irony is that this good man, who spent most of his life pushing for too much too soon, should fail at last by entering the lists with too little and too late. However, the respectability of his opposition should cause the tight Carterite inner circle to make room for the new Outs.

2. "The New Ins." Mr. Carter and his people, confronted with the impression of their own inevitability, are likely to adopt new tactics. Having stressed the outsider image, they will now become more absorbent and less worrisome to insiders. They will alternate the stick (you bosses better not gang up) with the carrot (regulars are welcome).

They will be faced with a strategic decision: to reach leftward for a traditional liberal Vice President, like Mondale or Fritz Mondale, or to gamble on an all-outsider, all-new ticket, with a running mate like keep-it-flowing Gurnor Jerry Brown. (Neither Hubert Humphrey nor Scoop Jackson are likely to be interested in No. 2, nor is Carter likely to hold still for a wild card like Ted Kennedy.)

On previous form, Mr. Carter is more likely to play it safe with the wide-spectrum approach, moving left and to an experienced legislator, rather than press his antipolitical strength with another young governor.

3. The Immediate Adversary. The media (or, if you like us, the press) will shift gears to deal with the Emergence. Ever since R. W. Apple Jr. of the New York Times reported last year that the Carter campaign was taking hold, the ensuing reaction has ranged from a profound distrust of an unwounded pol jesting at scars to a

glee at the prospect of writing about somebody almost as deliciously remote as the departed Richard Nixon.

Now, however, the same seductive mystery turns into "the fuzziness issue." To show that he is not fuzzy on bread-and-butter issues, Mr. Carter recently issued an economic position paper. It was ignored, of course, as position papers are supposed to be: They are intended to be tangible evidence of unfuzziness, to be pointed to in interviews as "thoughtful back-up," but not to be examined so soon. After the Emergence, however, the press will mine the papers for contradictions for a dangerously new idea.

In his economic paper, for example, Mr. Carter puts forward the notion that the chairman of the Federal Reserve Board be appointed to a term "coterminous with the President"—not overlapping, as it is at present, to help insulate the Fed from political domination.

Although giving lip service to the Fed's independence—necessary, while Burns roams—the Carter plan to give a President "his own chairman" would force the currently independent Fed to share a "joint responsibility" with

## ESSAY

Treasury and O.M.B. to issue a "co-ordinated report that their policies are mutually consistent." Monetary policy, now wisely decentralized, would be controlled more tightly by the White House in Mr. Carter's politicization.

Such positions are now considered MEGO—my eyes glaze over—but one day soon this, and other ideas, will be seized upon as typical of White House power grabs worthy of detailed discussion by a man with a 50-50 chance of going all the way.

4. The Ultimate Adversary. The fact of a center-right, cool Southerner as the Democratic nominee powerfully concentrates the mind of the would-be Republican nominee. From Texas to California in the coming month, Ronald Reagan will be making the point that his Southern and Western appeal is needed to turn back Mr. Carter, while Mr. Ford will be stirring up talk of a sun-belted running mate to counter the Carterites.

And who might that be? At private gatherings, Nelson Rockefeller—after hinting darkly at Reds under Senatorial beds—has been warning his friends about a tall, silver-haired Texan that he thinks is plotting to succeed him as Vice President.

Considering the way Republican conventions react to Rockefeller desires, it could be that the Carter Emergence could well be followed by the comeback of John Connally.

Toward a healthier economic climate 3.

## Subsidizing consumption, penalizing investment

Those who are opposed to economic growth appear to have gone underground. The American people, having had a nasty whiff of what economic stagnation means, are not buying this recipe for suicide.

The question now before the nation is how to get people back to work in productive jobs and how to keep creating new jobs so we can get back to opening up greater opportunities for women, for blacks and other minorities, and for young people from all backgrounds.

The U.S. labor force is still growing, and will continue to for years, despite the declining birth rate. Reducing today's high rate of unemployment will require more rapid growth in the economy. And growth will depend in large part on how much capital is available for investment.

The best way to sustain healthy economic growth over any considerable period of time is capital investment by private business in new plants and equipment. By "healthy," we mean sound, responsible growth—not mindless, explosive expansion.

### Productivity and economic miracles

Japan enjoyed the most rapid increase in living standards of any of the major industrialized nations in the 14 years through 1973 because the productivity of its work force—the output per hour worked—increased 10% a year. In Germany and France—two other countries that have achieved economic miracles in recent years—productivity rose nearly 6% a year in that period. Even Great Britain managed an average annual increase of over 4%. Those gains were achieved primarily through sustained investment of private capital.

And the U.S.? Our average productivity increased about 2.5% a year, which is pretty dismal. Why so low? Largely because not enough money was spent here for new plants and equipment—the least, in relation to Gross National Product, of any major industrialized nation.

In the long run, an economy's performance depends on a good balance between consumption and investment. It is possible to have an excess of either, at the expense of the other. The problem in the U.S.

economy is that for a good many years it has been weighted disproportionately toward consumption rather than toward savings or investment—probably more so than any other industrialized country. The difference is fundamental in its long-term effects on our society.

The U.S. has been subsidizing consumption at the expense of capital investment. If we keep on this way, there will eventually be less and less to consume, because our productivity will drop still more. Lower productivity means less-attractive prospects for earnings. This will further discourage the enormous investment required to produce the goods and services we need.

### The U.S. "consumption bias"

Our best long-term hope for licking inflation and markedly reducing unemployment lies in greatly increased capital investment to increase productivity. But our government's heavy taxation of the returns from capital—the "consumption bias" built into our economy—is diverting those resources to consumption and dampening capital investment.

What's called "depreciation" is a good example of this bias. Depreciation is the government's timetable that decides how long it will take a company to recover the money it invests to build a plant or to buy new machines. In the U.S., a company can recover only 72% of its investment in the first three years. But in France, the figure is 90%; in Sweden, 98%; in Canada and Great Britain, 100%.

The U.S. rate of capital recovery is thus among the slowest of all developed countries. More-favorable depreciation schedules would help American companies put together the investment capital that benefits all of us.

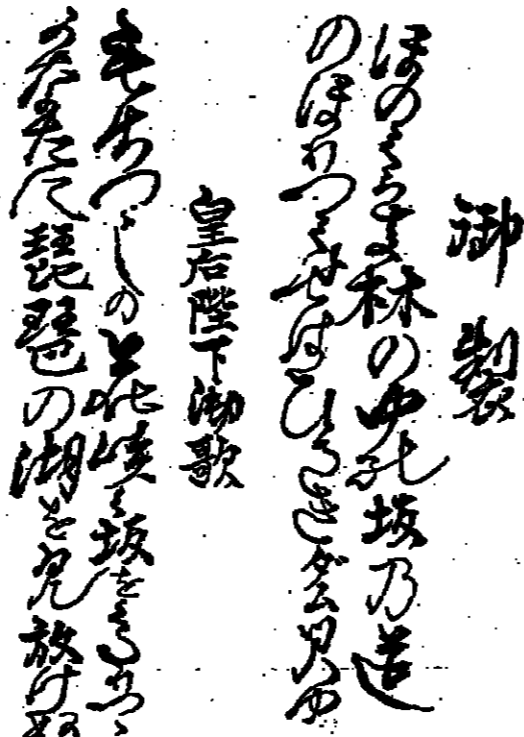
A low level of private capital investment means slow economic growth, which means high unemployment. A high level of private capital investment means rapid economic growth—which, as we said, can be responsible growth, not heedless growth. And rapid economic growth of the right sort can mean higher employment and greater opportunity for everyone.

Next: "Social mobility or class warfare?"

Mobil

## Poems by Emperor Hirohito And Empress Nagako

The New York Times asked Emperor Hirohito of Japan, through the Imperial Household Agency, to compose a poem for the occasion of his 75th birthday anniversary, which he is celebrating today. In response, the Emperor and Empress Nagako selected the two poems, untitled—which they wrote last year—that are printed here. In the Japanese, they are written in an ancient 31-syllable form known as Waka. The translation is by the Agency, and the calligrapher is Motoi Oi of East Elmhurst, N. Y. The Emperor's poem appears below at the right, the Empress's at the left.



(The Emperor's Poem)

Honoguraki  
Hayashi no naka no  
Saka no michi  
Nobori tsukuseba  
Hiroki damu miya.

Having reached the top  
Of a slope through the forest,  
So dark and gloomy,  
I am now here to command  
A fine view of the broad dam.

(The Empress's Poem)

Mochitsutsuji no  
Hana saku saku o  
Kudaritsutsu  
Kanata ni Bi wa no  
Umi o misaeru.

As I come downward  
On the hillside with flowers  
Of Mochitsutsuji,  
I can now enjoy the view  
Of Lake Biwa in the distance.

# DILORENZO TRIAL IS SENT TO JURY

### Opposing Sides Summarize Perjury-Case Arguments

By EDITH EVANS ASBURY

Both sides summed up their arguments yesterday in State Supreme Court in Brooklyn in the perjury trial of Ross DiLorenzo, a retired Brooklyn Civil Court judge. The jury will begin deliberating today.

plaint to the Appellate Division led to the inquiry out of which the perjury charges against Judge DiLorenzo arose, loomed large in the two-hour long summations by both sides.

Mr. Piazza was alleged to be a "fake man" and a liar by James La Rossa, attorney for the defense.

### Called Conscientious

Steven Sawyer, an assistant to Maurice H. Nadjari, the state's special anti-corruption prosecutor, described Mr. Piazza as a conscientious public official motivated by a "sense of outrage" to report an attempt by "a sitting judge to fix a case" to his superiors at the Waterfront and later to the Appellate Division.

Sawyer said of Judge DiLorenzo and Mr. Piazza. He told the jurors that if they did not believe Mr. Piazza, they would have to believe that he "deliberately, wilfully and maliciously framed Judge DiLorenzo."

The four-count indictment obtained by Mr. Nadjari alleges that Judge DiLorenzo lied when he said his sole purpose in seeking and obtaining a meeting with Mr. Piazza in 1967 was to ask for his help in screening applications for membership in the American Italian Anti-Defamation League. The indictment also charges the judge lied when he said he did not know his friend, Thomas Masotto, was under in-

vestigation by the Waterfront Commission.

Mr. Piazza, the principal witness at the trial, testified that, at the meeting, Judge DiLorenzo had asked him to "go easy" on Mr. Masotto. Mr. Piazza was, at the time, in charge of an investigation of alleged underworld influence on the Brooklyn piers. He had questioned Mr. Masotto, and determined that he was related to Carlo Gambino, a reputed Mafia leader.

# Buckley Assumes Russians Infiltrate Staffs of Congress

Special to The New York Times

ALBANY, April 28—Senator James L. Buckley said today that he assumed Soviet spies had successfully infiltrated Congressional staffs in Washington and that he hoped the Central Intelligence Agency was doing the same thing in Moscow.

staffs," Senator Buckley told a news conference here, that was called to announce his re-election plans. "I go on the assumption that there is infiltration."

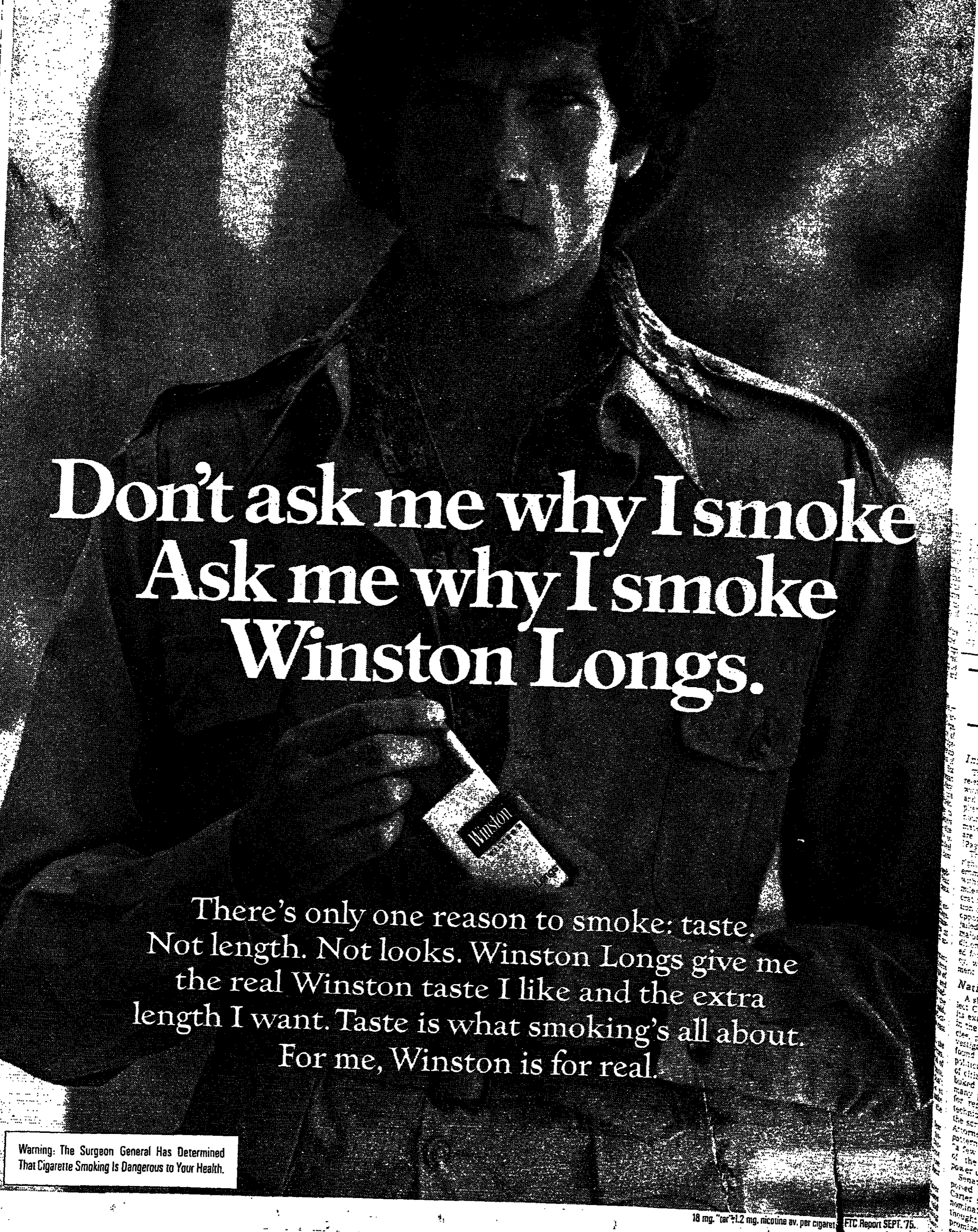
"Len Saffir" came the voice of an irreverent reporter from the back of the room. He was referring to one of Senator Buckley's top aides, who fully shares the Senator's conservative philosophy. Both Mr. Buckley and Mr. Saffir laughed heartily. "I doubt it," the Senator said.

Death Penalty for Supported by 65%

Support for the death penalty for persons convicted of murder has increased over a decade, with the favoring capital punishment now at the highest in years, according to a poll.

Death Penalty for Supported by 65%

In its latest survey, the poll said that they favor the death penalty for murderers, 65 percent, up from 57 percent in a survey conducted a decade ago, in which a majority of respondents supported capital punishment.



# Don't ask me why I smoke Ask me why I smoke Winston Longs.

There's only one reason to smoke: taste. Not length. Not looks. Winston Longs give me the real Winston taste I like and the extra length I want. Taste is what smoking's all about. For me, Winston is for real.

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

18 mg. "tar"; 1.2 mg. nicotine av. per cigarette. FTC Report SEPT. 75.

Partial view of another newspaper page on the right edge of the image, showing headlines like 'International' and 'National'.







# any Hearings Assess dopted Persons' Rights

By RONALD SMOTHERS  
Special to The New York Times

April 28—The right of an adult who was adopted to know the identity of his or her biological parents as opposed to the parent or parents whose name is on the birth certificate, was the subject of hearings today on a bill to change the law. The bill would allow an adult who was adopted to know the identity of his or her biological parents, if the biological parents are still living. The bill would also allow an adult who was adopted to know the identity of his or her biological parents, if the biological parents are deceased. The bill would also allow an adult who was adopted to know the identity of his or her biological parents, if the biological parents are living and the adult is unable to find them on his or her own.

But the question of rights is the narrow issue, he said, warning the commission and Assembly committee of the "treacherous terrain" surrounding a change in the law. "In this delicate field," he said, "you must have evidence of a very large-scale pathological condition among the 5 million adoptees that justifies a change in the law. For the 99 percent of adoptees who are getting along well without knowing, I suggest you leave well enough alone."

**'Human Risks' Cited**

Mr. Polier spoke of the "human risks" inherent in passing a law that would allow one adopted sibling to confront another years after they have been separated by adoption. He also cautioned against the psychological impact on an adopted person of the intimate and sometimes shameful details surrounding the circumstances of adoption that are contained in the records.

Another argument against changing the current law came from Carol Possin, president of the New York State Coalition for Children, an organization concerned with promoting adoption. She said that without the guarantee of anonymity afforded by the law, many natural mothers would seek to guarantee their anonymity in the only remaining way possible—child abandonment.

But most of the speakers at the hearings supported a change in the law to allow access for adopted persons to records upon reaching 18 years of age. Such a bill has been introduced by State Senator Albert B. Lewis, Democrat of Brooklyn.

**Competing Interests**

In the welter of competing interests and heated emotion of the issue, Senator Pisani said that at this point he sees only one clear change that he is convinced is needed. He said there was a need to provide some way for doctors to have access to the past and present condition of a natural mother in order to treat or diagnose correctly an adopted person. Such access is impossible under the current law.

Most adoption agencies, he said, do not agree that an adopted person has an absolute right to know his background. They fear the effects of a confrontation, years after adoption, between an adopted person and his natural mother.

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# pper of 'Queens' ate on Banana Boat

Thrippleton Marr, who as commodore of the Queen Mary and the last captain of the Queen Mary and the last Queen Elizabeth, is now serving as second mate on a banana boat.

whose table on the luxury liners was once set covered on ocean crossings, is third in the freighter Manzanara because he wants to be young," the 67-year-old Briton told a newsman who asked why he had taken this rather unglamorous job.

Mr. Marr, who left the sea in 1945, leaves his home in Wiltshire, England, a few months a year on the banana boats, on which he spent some of his career.

any office of United Brands, to which the liner delivered about 150,000 boxes of bananas on arrival from Honduras stirs talk about the highlights of his three decades aboard the ship.

Mr. Marr is bringing the Elizabeth into New York harbor in the tugboat tied up by a strike.

Mr. Marr's retirement in 1969 was called "the Elizabeth from Port Everglades, Fla., when she was sold to a Chinese shipping company and sailed to Hong Kong harbor in 1970.

Mr. Marr, who wrote an autobiography, "The Last Voyage," believes this engagement was the last time he fought "a duel to the death."



Mr. Marr aboard the Manzanara in Albany



A group of concerned citizens arrived in a hansom cab at the Majestic Theater on 44th Street near Eighth Avenue, to listen to the Mayor and others inveigh against the character of the neighborhood.

# Beame and a Broadway Cast Call for Eradication of 'Porno Plague'

By NATHANIEL SHEPPARD JR.  
Mayor Beame and an entourage of politicians, actors, producers and businessmen went to the Broadway stage yesterday to voice their determination to rid the city of what they describe as "the porno plague" that has caused much of the decay of the midtown district.

Speaking at a rally in the Majestic Theater on W. 44th Street east of Eighth Avenue, Mayor Beame and others asked the overflow audience to support a bill now before the State Legislature. It would mandate jail sentences of up to 90 days for prostitutes and empower the police to arrest pimps for loitering.

The legislation, sponsored by State Senators Manfred Ohrenstein and Carl McCull, is patterned after a Seattle ordinance that allows police to arrest a woman if she solicits a man for prostitution or repeated becomings, stops or attempts to stop passers-by or those in cars.

A uniformed police officer on his beat, for example, could arrest a woman if she made a minimum of four contacts with men. The Seattle ordinance also provides for the arrest of a customer.

Similarly a nine-month-old Milwaukee ordinance makes it illegal for a prostitute or a pimp who was convicted within the last three years to loiter in public places, including streets, parking lots, cars, sidewalks and buildings open to the public.

Yesterday Mayor Beame, bathed in theater floodlights and buoyed by loud and frequent applause from the au-

dience, said it was "time to act to prevent the Great White Way from becoming the Primrose Path."

Prostitution and its attendant vices "are not victimless crimes," the Mayor and others said.

"Often the prostitute is the victim, as are the businesses that are driven out of the area in which prostitution thrives," Mr. Beame asserted.

On hand to support the anti-prostitution bill were theater and film stars, including Ben Gazzara, Chita Rivera, Kelly Bishop, Linda Hopkins, Joel Grey, Colleen Dewhurst and Jerry Orbach.

Gerald Schoenfeld, chairman of the Shubert theater organization, decried the "sex business" as "a plague that kills."

"If you're not in the sex business, you can't co-exist," he said. "You either move or die, or you fight."

Sidney Baumgarten, who heads the Mayor's Midtown Task Force, in charge of cleaning up the area, told the audience of police statistics that compared midtown areas with high concentrations of prostitution and related vices and mid-

town areas without such concentrations.

The data showed that areas with high concentrations of prostitution had 185 percent more rapes, 142 percent more felonious assaults, 130 percent more robberies and 89 percent more grand larcenies during 1975.

Senator Ohrenstein, a Democrat-Liberal whose Manhattan district includes the midtown, said that giving the police a law with teeth would only deal with part of the problem.

"We must turn to and examine the real estate and busi-

ness interests that tease the buildings to the people that run the porno shops and massage parlors and peep shows," he said. "We must stop turning our backs on these pernicious people who operate as legitimate businessmen but are, in fact, turning New York into a sewer."

Senator Ohrenstein told the more than 1,000 gathered in the theater that many state legislators did not believe the seriousness of the prostitution problem in New York City "because they don't live or shop here."

# On Prostitution Row, Business Hums as Mayor Talks

By FRED FERRETTI  
Even as Mayor Beame and an assortment of city officials were inside a theater on 44th Street off Eighth Avenue pleading to sweep prostitution from the city's streets, less than a half block west on Eighth Avenue west was business as usual.

Prostitutes walked back and forth along the avenue, impugning lunchgoers. The browsers were going through the racks at the pornographic bookstores. Traffic in and out of "massage parlors" and "sensitivity" centers along the avenue was brisk.

Two mounted policemen sat at the corner of Eighth Avenue and 44th Street, watching visitors to the "Midtown Speaks" rally go into the Majestic Theater to hear Mayor Beame, State

Senator Manfred Ohrenstein, Borough President Percy E. Sutton of Manhattan and others deplore the trend in the neighborhood.

One young woman in tight jeans, her eyes and mouth heavily made up, sauntered toward the corner of 44th and Eighth just as Mayor Beame's voice came booming out from inside the theater through a loudspeaker.

Selling bodies is one thing, the Mayor said, "but it is not right to harm legitimate businesses, which is what they do when they solicit on the street." The woman listened, grinned thinly, said, "Tskk" and went on walking, and soliciting.

The Show World Center on Eighth Avenue off 42nd Street, a sort of self-proclaimed cornucopia of pornography, was doing a nice business during the lunch-hour rally, as were the

House of Paradise and Girls Galore, across the street. Though there was an evident police presence from 42d to 46th Street—policemen stood on corners with walkie-talkies—the streetwalkers were unfazed.

Two walked right past a policeman at the corner of 45th Street and stopped to joke with him. He grinned and waved them on.

When a newspaper photographer snapped their picture, one said, "Do you want to take a picture of a beautiful lady? Come on." Another hid her face behind her purse.

Less than 30 feet from the policeman, a man handed out leaflets for something called the Pleasure Seekers Club, which offered "fabulous girls one flight up" in an air-conditioned atmosphere for only \$8. And

between 44th and 45th Street, which advertises "live nude models," girls walked in and out and so did men.

Only a few hours later, however, the Treasure Palace was ordered closed by Justice Hilda Schwartz in State Supreme Court on a petition from the city that said 34 women connected with the storefront had been arrested for prostitution. Justice Schwartz agreed that the place was a "public nuisance," but traffic into and out of it continued into the late afternoon.

There was no long line at the Cameo Theater, which is showing "Femmes de Sade" at 44th and Eighth, but within 10 minutes as the rally was on, more than a dozen men bought tickets and Hungry Hilda's Topless Bar on Eighth Avenue had all its lights blinking and its doors open.

# Jury Exonerates Suffolk Prosecutor

By FRANAY GUPTA  
Special to The New York Times  
RIVERHEAD, L.I., April 28—A state grand jury today refused to take action on charges of sodomy and sexual misconduct that had been filed against District Attorney Henry F. O'Brien of Suffolk County by Eugene R. Kelley, the county's Police Commissioner.

"You could say that Mr. O'Brien has been exonerated," Joseph P. Hoey, the special state prosecutor, who has been investigating the case since last September, said this morning after the 23-member grand jury delivered its decision to Justice Harold Birm of State Supreme Court here.

Mr. O'Brien, the first Democrat to be elected District Attorney in traditionally Republican Suffolk, reacted to the decision jubilantly at a news conference this afternoon.

Smiling broadly, and to applause by staff members who had gathered in his office in Hauppauge, Mr. O'Brien said: "The grand jury has refused to be film-flamed into confirming false and vicious charges. I am really, really happy."

**Attack Called Political**

Mr. Hoey reiterated his contention, which he first voiced last September, when Commissioner Kelley, a Republican, filed the sex charges, that the allegations were "politically motivated."

Mr. Kelley declined to comment on today's developments.

Mr. Hoey, the special state prosecutor, disclosed after announcement of the grand jury's decision that the grand jury would not focus on the origins and the circumstances surrounding the filing of the sex charges against Mr. O'Brien.

Specifically, Mr. Hoey said, the grand jury will concentrate on how and why the Suffolk Police Department obtained testimony from Roger Barry Peterson, a 23-year-old unemployed handyman from Deer Park, L.I.

It was Mr. Peterson, who is serving a jail sentence for burglary, who accused Mr. O'Brien of performing oral sex. The alleged act was said to have occurred six months before Mr. O'Brien, a 42-year-old bachelor, became District Attorney, when Mr. O'Brien was the handyman's lawyer.

# A Million Gallons Of Poison Spilled Off Jersey Shore

By WALTER H. WAGGONER  
Special to The New York Times  
CARTERET, N.J., April 28—More than one million gallons of toxic liquids spilled into the Atlantic Ocean off New Jersey and New York Harbor today when a Colombian freighter rammed a barge loaded with chemical waste.

The freighter, the 328-foot Tanambi, en route here from Peru with a cargo of copper cathodes for the United States Metals plant on the Arthur Kill, hit the barge, Sparkling Water, at 3:30 A.M. while the barge was being towed by a dumping ground at sea by the tug Crusader, owned by the Red Star Towing and Transportation Company of Manhattan. No injuries were reported.

The collision, which occurred 15 miles southeast of Sandy Hook, tore a 4-by-8-foot gash into the starboard side of the barge, which had just been loaded with 1,114,000 gallons of liquid acid waste from the DuPont and American Cyanamid plants on the Arthur Kill in Linden. It was headed for the 106-Mile Dump off the Jersey coast.

The 298-foot barge lost all of its cargo, according to Larry Wright, a spokesman for the Coast Guard.

"They had a choice of sinking or off-loading," he said, "and they decided to off-load."

The waste formed a slick a quarter-of-a-mile wide and a mile long about 12 miles off Asbury Park, then began drifting southeast off the coast and away from the Jersey shore, the Coast Guard said.

Late today, officials for the Federal Environmental Protection Agency said that most of the waste, some 700,000 gallons of caustic solution used in the production of chemicals by E.I. du Pont de Nemours & Company was neutralized "almost immediately" upon its exposure to the ocean water.

# Metropolitan Briefs

**4 Indicted in Theft of U.S. Checks**

The former president of the Brownsville Community Federal Credit Union in Brooklyn and three other men have been indicted on charges of stealing and forging federal checks and using the credit union as a "fence" to cash them. The charges involve at least \$20,000 worth of checks stolen and cashed early in 1974.

Named in the indictment were William Laing of 375 Essex Street in the East New York section of Brooklyn, the former president; Edward Moore of 1630 St. John's Place in the Park Slope section; Robert Lee Collins of 1648 East New York Avenue, Brownsville, and John Doe, also known as "Melvin," address unknown. Mr. Laing and Mr. Moore pleaded not guilty in Federal District Court, Brooklyn. The other two defendants are being sought by the police.

**Trains Getting Bicentennial Logo**

The Metropolitan Transportation Authority is introducing a circular Bicentennial logo featuring the familiar blue "M" bespangled with 13 white stars and superimposed on 13 red and white stripes. The special design will partially obscure the standard blue logo disk with an "M,"



already in use. Starting in June the new design will appear on all late-model subway cars, on change booths and buses, and on cars of the Long Island Rail Road, the Harlem, Hudson and New Haven lines of Conrail and the Staten Island Rapid Transit Line. David L. Yunich, chairman of the authority, showed the new symbols at the 57th Street station of the Sixth Avenue IND line.

# Dr. King's Birthday To Be Holiday

The Connecticut State Senate voted 32 to 4 to make a legal holiday of the birthday of the Rev. Dr. Martin Luther King Jr., the civil rights leader who was slain by a sniper in Memphis on April 4, 1968. Dr. King was born in Atlanta on Jan. 15, 1929. The bill passed the Connecticut House of Representatives on April 21. Gov. Ella T. Grasso will sign the bill on Monday, a spokesman in Hartford said.

# From the Police Blotter:

A man identified as Jorge Ruiz, 50 years old, was found stabbed to death on the kitchen floor of his apartment at 42-45 Kissena Boulevard, Flushing, Queens, shortly before 10 A.M. by a woman neighbor. The police said the nude body bore numerous chest wounds and that several broken knife blades had been found nearby. . . . Dean Vasko, 27, of 239 East 33rd Street, was shot once in the chest during a robbery attempt at Ninth Avenue and 14th Street shortly after 4 A.M. He was reported in serious condition at St. Vincent's Hospital. The gunman escaped.

LOTTERY NUMBER  
April 28, 1976  
N.J. Pick-It—517

# Couples Take a Course, to Avoid the Dangers of Success

By ENID NEWY  
Special to The New York Times

CAMBRIDGE, Mass.—Svea Fraser never had any doubts about her husband's ultimate business success. Her fears were of a different order.

"I was concerned at what would happen to us, earning a good deal of money," said Mrs. Fraser, a 28-year-old psychology graduate and a former Peace Corps worker. "I was afraid of success. I was afraid it would grab me."

Over the last few months, her fears have dissipated, if not evaporated. Mrs. Fraser and 21 other women have been accompanying their husbands to a weekly class on "The Executive Family" offered to second-year students at the Harvard Business School. There are also two husbands in the class, accompanying wives who are business school students.

"I was delighted that someone shared my concern at what can happen to a successful family," said Mrs. Fraser, the mother of a 2½-year-old daughter. "It may sound strange but it was a relief to know that there is something to be afraid of... that it isn't just an imagined fear."

### Bypass Personal Details

To Dr. Barrie Greiff, the psychiatrist who originated the course in 1970 and still conducts it, the fears of executive families are well founded. His experience with "talented, aggressive people" had shown him that executives who planned business strategies often to the last detail often believed that their marriage and personal lives would take care of themselves.

He set about designing a course that would encourage couples to "creatively think about creatively designing

their lives," a course that would not provide pat answers, but would act as catalyst and challenge its participants.

"Nobody in America would challenge the idea of families, but what happens is that people take marriage and families for granted," Dr. Greiff noted. "I think business is concerned about it but, understandably, business is concerned with profits. It's not business's responsibility to worry about families. It's the individual's responsibility to look at his or her life."

Dr. Greiff's course, 16 weekly classes of about two hours each, is confined to 25 couples (one spouse must be a second-year business school student). There is a wide variation in age, background and previous business experience, a fact made possible because there are almost three applicants for every class opening.

### Problems Are Listed

Dr. Greiff, who spent two years in the Navy and two years studying psychiatry at Harvard before joining the staff in 1968, centers discussions on problems most likely to be encountered by upwardly mobile couples.

Among them are the possible conflict of dual careers in a family, the question of priorities in business and personal life, the trauma of divorce or job loss, the question of whether or not to have children, difficulties encountered in relocating, and problems engendered by a spouse who is constantly traveling.

"This is not direct therapy... it isn't for fractured marriages," said Dr. Greiff, who has a wife with a career of her own.



Svea and Scott Fraser, above, believe their relationship was helped by joint attendance at executive family course developed by Dr. Barrie Greiff, left.

The New York Times/Arthur Grace

"The course is valuable because it gives people options to think about. There is always a conflict between personal needs... and a corporation's needs. The individual must create a mechanism

that allows him to participate in a little of each. "It may mean giving up some goals and aspirations. It may mean talking to one's employer. It may mean quitting and taking another job.

People have to clearly think what their options are, what their priorities are, and what their tradeoffs are." The tradeoff for Svea and Scott Fraser came earlier than most. Mr. Fraser a 29-

year-old former navy lieutenant and intelligence officer who later spent two years with the Defense Intelligence Agency, was recently offered a job as general manager of a Saudi Arabian trading com-

pany he is helping to set up. It involved living abroad for a year, without his wife and child.

"I made up my mind to give up the general manager-ship, to spend the first year working in the operation in Boston," he said. "In essence it was the job versus the family, and it was a tough decision. It was a wrenching experience for me because the business was something our group was creating, and it was the fulfillment of a dream."

Mr. Fraser, who registered for the course because he appreciated that his wife would also be involved, attributed his decision to "facing things through, as a result of Dr. Greiff's course."

"It was such a liberating experience being able to give up that general manager job," he said. "I thought I'd wake up and feel bad but I didn't. I felt great. It's the first time I've ever had a perspective on myself."

### Decision-Making Time

Mary McGowan had already had considerable business experience before he enrolled at Harvard and, subsequently, for the executive family course.

An accountant and self-styled entrepreneur, whose forcefulness and business experience originally awed some of his classmates, Mr. McGowan succinctly ticked off his personal scorecard.

"I became more at ease with myself," he observed. "I feel now I don't have to prove myself to the world as much as I had to. I'm going to structure my future so that I have the control panel. I'm going to plan my business career around my family, as opposed to a big corporation."

"We were a where we had decisions," said Patricia, who is old. She comes with smiling band added her views in much more the

Although apparently by class offers dimension in planning the not universal.

Amy Meyer Boston Univ. a business school want to be a administrator a long-term position of Harvard was "somewhat" at the band, Christy dated from Business 3 years ago; ag

"There's a reaction in that's what Mrs. Meyer's thought more on jobs," said he not take his own. Her disappointed pop, as of stance."

It is a Greiff, a co-developing, most of the make up a individual m and the fami

"It's hard the first do is get you in shape, as as couples said. "The there's a p- thing. And it's up to a want to psy



The New York Times/Jack Manning

Sterling St. Jacques dances with model in white crepe dress in typical moment from Givenchy's swinging fashion show. At right, Enid Haupt greets C. Z. Guest as they enter ballroom.

## A Festive Presentation of Givenchy's St.

By BERNADINE MORRIS

The circus-like ballroom of the Waldorf-Astoria was transformed yesterday by cool blue tablecloths and delicately towering arrangements of white flowers—dogwood, lilacs and calla lilies. Bunny Mellon had brought them from her Virginia farm and worked out the centerpieces with Robert Perkins, whom she calls "the best flower man in the country." Jim Goslee of the Ferrary executed the arrangements.

While the guests sipped wine in the anteroom before entering the ballroom, they faced a fantastic display of

fruits, vegetables and ferns spilling out of a straw horn.

"The ultimate in crudities," observed Cecile Zilka, who helped prepare it. "And after the luncheon of asparagus, peas and strawberries, the 700 guests who filled the room and the two tiers above it, were treated to a spectacular fashion show."

### Star Was Born

It was Hubert de Givenchy's spring couture collection. The clothes looked beautiful, the models were graceful, and a star was born. He was Sterling St. Jacques, a tall, slender man in a white T-shirt and white pants, who not only danced a few solos, but also partnered all of the

girls, like a Fred Astaire in the 21st century. He's the son of Raymond St. Jacques, the actor.

All this effort was marshaled on behalf of the Hospital for Special Surgery and coordinated by Mildred Hillson, the chairman of the event, who has been wearing Givenchy's clothes "ever since I could afford them."

The audience contributed to the festive air of the luncheon, which started at noon and lasted until well past 3 P.M. Tickets were \$75. "It's an incredible crowd," said Bill Blass, who should know.

It included social figures (C. Z. Guest and Julia Biddle, Henry, better known as Mrs. T. Charlton Henry) and political ones (Phyllis Wagner and Mary Beame).

### A Mingling

Art dealers' wives (Marjorie Reed, Sandra Feigen) mingled with Hollywood wives (Janice Levin, Fran Stark). There were wives of members of the diplomatic corps (Solange Gausson and Gisela Hoveyda) and such women as Phyllis Bass, president of the League of Women Voters in Great Neck, L. I., who just like clothes. Cosmetics queens (Estée Lauder, Mala Rubenstein) rubbed shoulders with interior designers (Billy Baldwin, Harry Rinson) and the catalyst was, of course, Mr. Givenchy, who, swinging in time to the music, watched the show from the second balcony, behind the spotlights.

It was his idea to get Mr. St. Jacques, an actor who dances and teaches dancing at Infinity, a discotheque, to add an extra dimension to his fashion show.

Mr. St. Jacques turned the mannequins into a bevy of Ginger Rogerses.

"They didn't know they could dance, but I told them they should just listen to the music," he said, making it sound easy.

### Big Change

It is, of course, a change from the good old days in Paris, when showings were held in strict, cathedral-like silence, and mannequins glided by with numbered cards in their hands, and everybody strained forward to catch every seam and nuance. "I wanted to put on a good

show," Mr. Givenchy explained, indicating that even haute couturiers can move with the times. The clothes didn't suffer at all, despite the mannequins' rather vigorous gyrations.

Against the white stage, the red, green and other colorful chiffon dresses looked not only glamorous but contemporary as well. "I want them all," said

Silviana Levi cupped her chin, showing by ones she Mr. Givenchy Bergdorf-Gommes, Denmark, a good time. The design relax by last night. Paris attention.



The New York Times/Carl T. Geertz

## Subtle Changes, Yes, But Still the Familiar Pucci

By ANGELA TAYLOR

Time was when the audience side of a fashion show—any fashion show—was a sea of women in Pucci prints. The tide seems to have receded in recent years, to be replaced by a wave of Ultra-suede dresses as everywoman's uniform.

At Saks Fifth Avenue's showing of the latest Pucci this week, the Florentine designer's easily recognizable prints were scarce in the audience, while six Ultra-suede women were gathered at one table. (Not at the Marchese Pucci's, however. Pauline Traxler, wife of the Italian Consul General, loyally wore one of his prints.)

Still, the dresses on the runway were extremely pretty, and the women who paid \$15 each for a view of them made appropriate cooing noises and burst into applause at some of the more luscious evening things. The show benefited the Legal Aid Society and the fee included canapes, Bloody Marys and screwdrivers, and a chance to win a Pucci dress.

### Live in Switzerland

"I like the three-piece suits," remarked Lady Frances Wilkinson, whose husband, Sir Harold Wilkinson, formerly headed Shell in Great Britain. They now live in Switzerland, where, Lady Wilkinson said, not many Puccis are in evidence.

But she still treasured a Pucci bikini given her years ago by her good friend, Sophie Gimbel, and she intended to bring her husband back to the Pucci section to see if she couldn't convince him

that she ought to have several of the dresses, particularly the strapless coral organza with its own fringed shawl.

She smiled as she recounted the shopping strategy she used to employ on her husband: "I would ask that my favorite dresses be shown by the prettiest models, then I would be sure he'd like them. So instead of one dress, I might get four."

One would wish Lady Wilkinson luck with any number of the evening charmers: the organzas with the floating skirts, the silk jersey jumpsuits ending in harem pants and several of the thin cotton or silks with hand-

kerchief-point skirts and butterfly sleeves.

There are subtle changes in the Pucci prints. They are more likely to be flowery affairs in two colors, rather than the famous multicolored geometrics. And there are new ideas: pastelprint tennis and golf dresses for the non-purist sportswoman who wants to look pretty rather than wildly athletic.

Emilio Pucci has not forgotten how to make a woman look sexy: his bikinis have shrunk to string, his necklines plunge and his jerseys cling in the right places. Prices range from \$80 for a tennis dress to \$2,500 for a bead evening sheath.

## Women at a Players Club Lunch

By SHAWN G. KENNEDY

"I must say, we did this in true Players style," observed one member yesterday afternoon, as he glanced about him, counting only three women lunching in the wood-paneled dining room of the Players Club. "Our members didn't ignore it, but on the other hand there wasn't any sort of fanfare either."

The occasion?—the first time that women guests were admitted for luncheon in the 88-year history of the gentlemen's club founded in 1888 by Edwin Booth, the actor, as a retreat for other actors, artists, writers and other men in the arts.

It was neither financial straits nor outside pressure, a club spokesman said, that had brought the membership

to allow women to be invited to lunch.

"This isn't a women's lib thing," insisted Storrs Haynes, chairman of the managing committee of the club, which faces Gramercy Park. "It is a reflection of a changing society. It's something our members wanted, so we made the change. It's just that simple."

And it's not as if the Players had ignored women until now; they've been inching away from their men-only policy for some time. A few years ago the club opened the dining room to women guests on Thursday evenings and then Monday through Friday, but just for dinner.

"Women are now a large part of the business side of

the theater world," noted the club's president, Alfred Drake, the actor. "Our members who work in the theater wanted to be able to bring all their colleagues to lunch as they have been able to do for dinner."

So is there an "integrated" membership in the Players Club future? "I just can't say," Mr. Haynes said. "That will be up to the membership. The club will be whatever the members want it to be."

### List Is Moved

The Amusements for Children listing, which has appeared regularly on the Family/Style page, will be published every Friday, starting tomorrow, in the new Weekend section.



The New York Times/Carl T. Geertz

The new evening Pucci is strapless organza with a full, floating skirt.



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**DILLON ASSAILED  
 IN JURY TACTICS**

Seals Presentments  
 4 Nassau Inquiries

By ROY R. SILVER  
 Editor at The New York Times

**DILLON, L.L., April 28**—The  
 strait-jacketed judge of Nassau  
 County charged today  
 District Attorney's of-  
 ficials with "inhibited" the rights of  
 jury and prevented it  
 operating in an atmos-  
 phere conducive to open, fair,  
 and independent in-  
 quiry.

Charge was made by  
 Henderson W. Morrison  
 page decision involving  
 presentments that were  
 up to him by a grand  
 investigating corruption in  
 the county.

Henderson ordered the  
 presentments sealed and not  
 public on several  
 including his findings  
 is prerogative of the  
 jury to make a thorough  
 inquiry was impaired  
 by the improper  
 actions of the assistant  
 district attorney and his failure  
 to disclose this error.

Basic thrust of the  
 decision was that a  
 jury should have the  
 right to ask questions of any  
 witness without interference of  
 the District Attorney.

E. Dillon, the District  
 Attorney, issued a directive on  
 April 19, 1975, to his subordi-  
 nates that all questions raised  
 must first be made  
 to the assistant district attor-  
 ney before the inquiry and  
 by him to the witness.  
 Mr. Morrison said, according to Mr.  
 Morrison, is a juror to be per-  
 suaded a witness di-

Mr. Morrison said today that he  
 was legally and that his  
 was aimed at having  
 admissible ques-  
 tions asked. He also  
 an "unfair" ques-  
 tion to a witness could  
 immunity in a matter  
 under investiga-  
 tion, he added, jurors  
 questions that could  
 be prejudicial against  
 the subject of  
 the in-  
 quiry.

In Judge Morrison's  
 decision, the minutes of  
 the grand jury in-  
 quiry between the  
 strict attorney and  
 the grand jury in  
 question of direct ex-  
 aminations of a witness was  
 to jurors. After con-  
 sulting his superiors,  
 the assistant dis-  
 trict attorney, per-  
 mitted the  
 presentment of 47 direct ques-  
 tions.

Mr. Morrison said that no  
 the motives of Mr.  
 Morrison, "the effect  
 creates a confused  
 picture of the  
 between the grand  
 jury and the district attorney  
 was never sub-  
 jected."

Mr. Morrison's spokesman said that  
 presentments have been re-  
 sisted. Mr. Dillon issued  
 a directive that it was  
 the duty of the present-  
 ments to quash some  
 of the questions on the judge's  
 list.

Mr. Dillon said that  
 40 indictments were  
 returned by the grand jury in  
 Nassau County in the  
 judge's decision,  
 10 of which were  
 returned on the basis of  
 the presentments.

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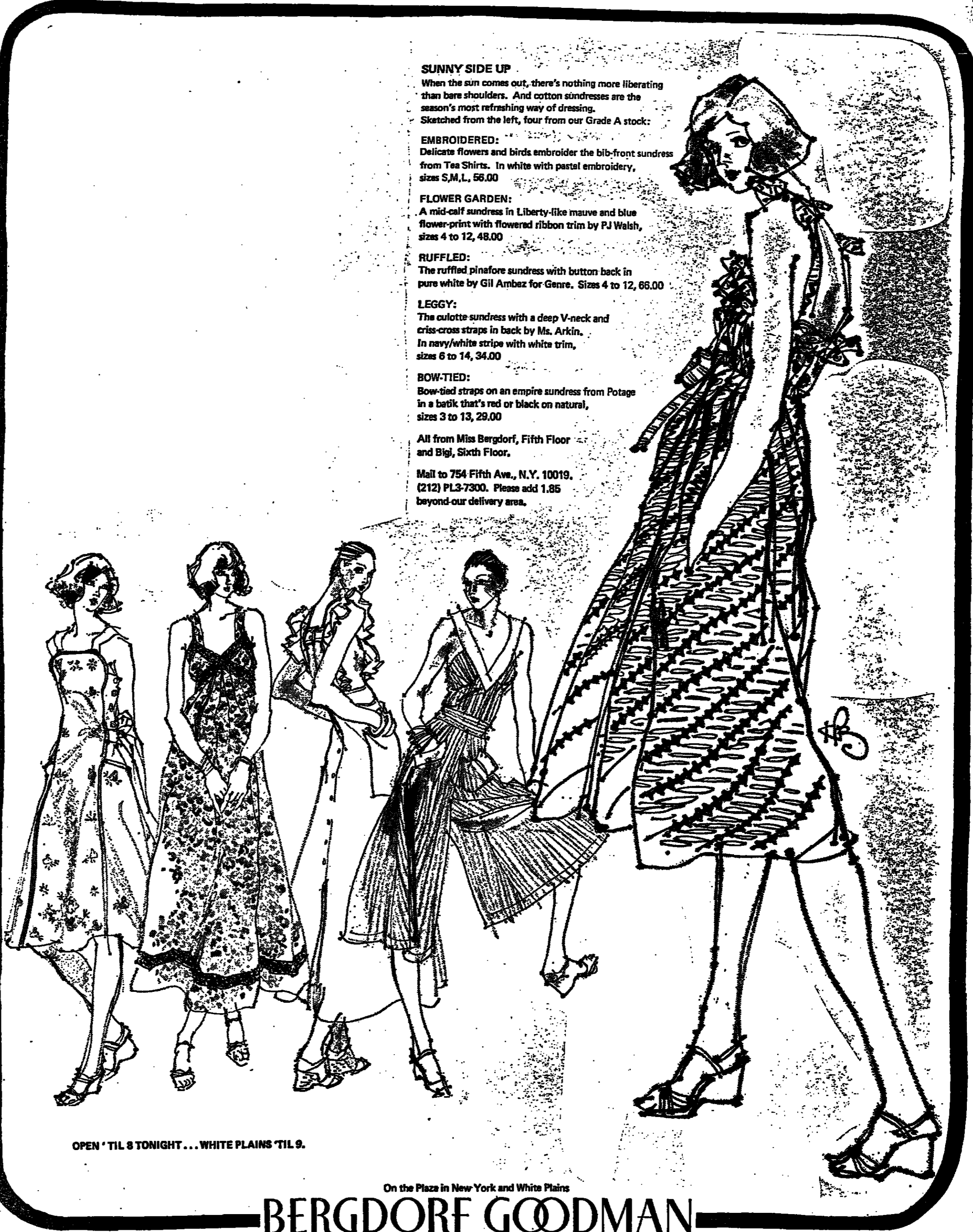
**RUFFLED:**  
 The ruffled pinafore sundress with button back in pure white by Gil Ambez for Genre. Sizes 4 to 12, 66.00

**LEGGY:**  
 The culotte sundress with a deep V-neck and criss-cross straps in back by Ms. Arkin. In navy/white stripe with white trim, sizes 6 to 14, 34.00

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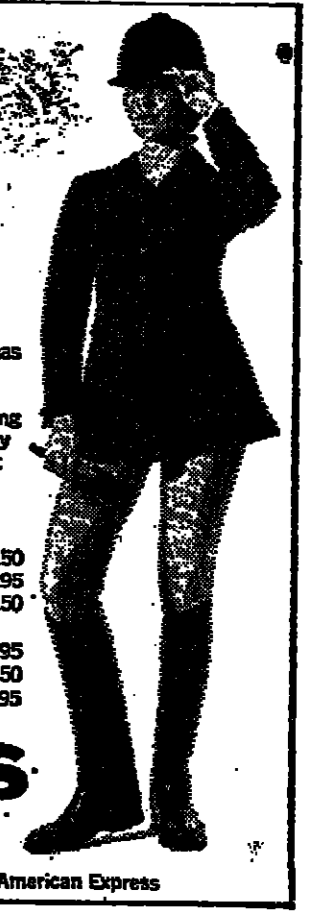
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الرياضة

# Swan and Mets Defeat Messersmith, 3-0

By MURRAY CHASS

Andy Messersmith who almost became the second wealthiest member of the Yankees' pitching staff, has been in New York the last three days, but he hasn't visited the new Yankee Stadium.

"I haven't had any desire to do that at this point in time," the million-dollar member of the Atlanta Braves explained. "I'm not sure I can get in there."

The Mets, on the other hand, displayed the proper courtesy and let Messersmith visit old Shea Stadium yesterday. But then they behaved most rudely in their role as hosts and beat him, 3-0.

Dave Kingman took care of the first part of that score with a three-run homer in the first inning and Craig Swan accounted for the second part by chocking the Braves on five hits.

For Kingman, the blow, which followed a foul bunt, was his ninth homer this season. For Swan, it was the first complete game and shutout in 15 major league starts over a four-year period.

For Messersmith, the game was another struggle along the controversial path he has followed since playing out his option with the Los Angeles Dodgers and becoming a free agent in three separate legal decisions. The 30-year-old right-hander has made three starts and has neither a complete game nor a victory.

He stifled the Mets after throwing the hanging slider that Kingman hit for the homer, but he still wasn't satisfied with his seven-inning effort, his longest of the season.

"The other 113 pitches were a little shaky, too," said the curly haired blond, his California-tanned arms bulging from his cutoff tee-shirt. "I had terrible control, a terrible curveball and a terrible slider. My change-up wasn't too bad and the mound was okay. That's about all."

They should give me a target low and in and I'll be up and away. That gets depressing. My slider is getting worse by the minute. I've got to find something else. I'm going to talk to Phil Niekro [Atlanta knuckleballer] tomorrow."

Messersmith has pitched only 18 innings this year, none in spring training. People keep giving him a ready-made excuse about not having had any spring training—he signed on the third day of the regular season—but he has refused to use that excuse.

"I'd like to keep using that," he said, "but that's past. I've had my spring training and it's time to get my act together."

The skeptics watch Messersmith's act closely, ready to say "I told you so," that he isn't worth \$200,000 a season plus a \$400,000 bonus.

"I imagine people are saying that now based on the money the Braves are paying me," Messersmith said. "But I'm doing all I can do, which isn't too good right now. I don't

know what I expected, but I just haven't pitched well and I'm disappointed. Nobody likes to lose. That's not what they're paying me for."

The 25-year-old Swan is paid about one-tenth of Messersmith's salary, and he was at least one pitch better than his mound opponent yesterday. More than that, said Messersmith.

"I ran into Walter Johnson today," Andy commented. "That kid pitched a hell of a game."

In his third start of the season, the right-hander struck out 11 and walked only one. The Braves were hitless until two were out in the fifth, and all five of their hits were singles. It wasn't until the ninth inning that Atlanta put two men on base. Rowland Office led off with a single and Ken Henderson followed with another single. Manager Joe Frazier of the Mets went to the mound at that point, but returned to the dugout without Swan.

"He asked me if I was tired and I said not really," the pitcher related. "When Henderson got that hit, I wondered if I was losing my stuff, but [Jerry] Grote said it was a good pitch."

His next eight pitches were even better. He struck out Jim Wynn on a 1-2 pitch, then fired a third strike past Darrell Evans, who lost his chance to extend his National

League record to 11.

Continued on Page 50, Column 6

He was the losing pitcher



Messersmith in action against the Mets at Shea



Messersmith lasted seven innings, giving up six hits and striking out seven batters



He was the losing pitcher

## The Main Derby Question: Will Speed Kill Top Two?

By VE CADY

New York Times  
E. Ky., April 28  
can't go a mile a minute, the doubters and mostly they

once up to about an eighth, sons of the famous samite. But few major stakes race and a quarter only one of to capture the

by grandsons, something else will discover men entries are for Saturday. The line-

downs re-opened the opening of Pleasure at Bold Forbes choice.

is here is that Bold is the 1 1/4-mile two-horse-race. Late surprises, as are expected. Their owners

000 tomorrow anal \$3,500 to

the question Pleasure and not so much an run a mile but whether ted enough to-ous speed

re tremendous and both have es to become ocky tries to o vigorously.

Yet both trainers think their horses are ratable: i.e., capable of being slowed down enough in the early part of the race so that they will have something left for the crucial late part.

"I don't see 'em that way," said Laz Barrera, trainer of Bold Forbes, when asked if

he thought his colt and Honest Pleasure would go head to head in a suicidal speed duel.

"I think there's as much chance for a slow pace as a fast pace," said LeRoy Jolley, trainer of Honest Plea-

sure, when asked if

Continued on Page 48, Column 1



Bertram Firestone, left, and LeRoy Jolley, trainer, watching Honest Pleasure yesterday as the horse prepared for the 102d running of the Kentucky Derby Saturday.

## Riggins to Shop for Best Deal

By GERALD ESKENAZI

John Riggins has told the Jets he will not sign with them until he finds out how valuable the rest of the National Football League thinks he is.

Riggins, the New Yorkers' curly-haired iconoclast, is the best running back available as a free agent. His term of employment with the Jets officially ends at midnight tomorrow.

He is especially attractive to other teams now because the so-called Rozelle rule is in limbo. Any team that signs him can do so without having to compensate the Jets.

"He hasn't lost any negotiating leverage with me," Al Ward, the club's general manager, said yesterday. "I have his word that we'll get the last shot at him."

It may be an expensive shot. Riggins played out his option last year and took a calculated risk that worked. He became the first Jet to rush for 1,000 yards. His pay was \$70,000.

"I'm thinking of a compensation for John in six figures," said Ward. Riggins

most likely is thinking of \$200,000 or more a season. In a salary discussion once with Ward, he told him: "How can you offer me so little when Joe Namath is making more than \$400,000?"

"Namath," replied Ward, "is a special case."

Ward disclosed that the Jets had signed Phil Wise. "He and Riggins were our big ones," he said, alluding to the unsigned players. "I think if we bring Phil along, he'll be able to play 14 games."

Wise, a free safety, has always been impressive, but often gets hurt. He had a chronic groin pull that Dr. James Nicholas, the team orthopedist, treated by putting him in traction. His is supposed to be cured now.

Ward doesn't immediately expect to sign Lou Piccone, the dashing kick-return-utility man who had one of the Jets' few positive statistics last season.

"I've given up on him," said Ward. "He's going to find out what the market is. I think he'll come back."

Ward was optimistic on getting Rich Sowells a cor-

nerback to sign. He meets tomorrow with Matt Snell, Sowell's agent. But he was not so optimistic about Rich Lewis, the linebacker, saying, "he will be on the market."

These other problems

Continued on Page 50, Column 4



The New York Times John Riggins

## Remember San Diego' and Ali Does

R. Md., April 28—In the darkness before Dundee picked up the house phone in the Sheraton Lanham and dialed Muhammad

you," the trainer cooed. "We're down here ou."

heavyweight champion said sleepily, "I today."

San Diego," Angelo Dundee said. "I'll be right down," the champion said. Muhammad Ali remembers that three years ago in San Diego he did not train seriously because he didn't take Ken Norton seriously. He didn't do much road work and on a golf driving range he e. He not only lost a 12-round decision, he broken jaw. And for Muhammad Ali, that te embarrassment because he couldn't talk, does not want to be embarrassed like that, not by somebody like Jimmy Young, his y night here at the Capital Centre in a will be shown on home television. Muham- take Jimmy Young seriously either but liring somewhat seriously. He had shadow- the heavy bag today and now he had in- pe-skippping to joke with the assembly of ple in the motel ballroom where he trains. ried to skip rope again.

a couple more rounds," he mumbled, "and 'I over with."

He Might Weigh 230 Pounds

after that Jimmy Young, the 27-year-old out-ender distinguished mostly for outpoint- Honolulu early last year, was peeking at champion from among the ringside view- him.

attention you can," Ali said, "because last big crowds, I'll hit you so hard it'll jar Africa."

right be the heaviest of his career at 230 row's weigh-in, later acknowledged, "I'm for this one. I only train hard for those bad ironically, one of the "bad niggers" is Ken oppose Ron Stander, once butchered and ophane by Joe Frazier, in a 12-round bout he TV show. Ali's next multi-million-dollar rably will involve Norton in September . the champion knows he must dispose of ere and Richard Dunn of England in Munich s also must emerge unbent and unbroken

from a show-biz scrimmage with Antonio Inoki, a Japanese wrestler, in Tokyo in late June.

Ali is smugly confident, as he always is. Jimmy Young isn't really confident, but he sounds optimistic. Apparently he knows that he has nothing to lose except another fight. It would be his fifth loss against 17 victories and two draws.

"I need God on my side, that's what I call luck," Jimmy Young was saying after his workout today. "I feel good at 208, but at 210, 211, I'll feel a little better. At his age Ali's legs aren't gone but they're leaving him. I'm in the best shape of my career—12 years and 10 months."

Between fights in his career, Jimmy Young has been a truck driver, a welder, a construction worker and a longshoreman. Even after his upset of Lyle, he shaped up on the docks when he returned to Philadelphia where he lives with his wife and four children. But for the last five months, boxing has been his job.

"I never made more than \$7,500 in a fight before this, I don't even own a car," he said in his friendly manner. "To me, this fight means the heavyweight championship, it means being on top, and most of all it means money. The cash—\$85,000."

Three 1972 Exhibitions With Ali

Other challengers have talked bravely of how they will conquer Ali and then turned to gelatin in the ring. Jimmy Young might do that, too. But he does sound as if he won't be intimidated by the champion. One reason might be that he was in the ring with Ali for three exhibitions in 1972 when Ali was between titles.

"I noticed then that when he punched, he punched in combinations," Young said. "And that he's a relaxed fighter."

While training in Joe Frazier's gym in Philadelphia recently, Young also received some advice from Ali's tormentor.

"Joe told me to get some speed in front of me," Young said, meaning a sparring partner with fast feet and fast hands. "Joe also told me that after five rounds, Ali doesn't hit as hard as he does in the early rounds. Not that you can take him for granted then."

It also must be remembered that Joe Frazier has absorbed Ali's punches better than anybody, presumably better than Jimmy Young will. But the challenger has been floored only twice, each time by Earnie Shavers, a big puncher but little else. Jimmy Young's primary problem is that he's not much of a puncher himself. He has only five knockouts.

"But every horse can be broken," Jimmy Young said, "and every man can be thrown."

Muhammad Ali also knows that. He remembers it happening in San Diego three years ago.

## Tennis Post Of Talbert Is in Limbo

By TONY KORNHEISER

They may not have Bill Talbert to kick around anymore.

Talbert, director of the United States Open tennis tournament for the last six years, terminated his affiliation with the Forest Hills tournament last Friday. Sensing what sources close to Talbert called "a squeeze play," telephoned Mike Byrnes, executive director of the United States Tennis Association, and resigned as tournament director, complaining that he was a director without any authority to direct.

However, after talking to the U.S.T.A. president, Stan Malless, on Tuesday, Talbert agreed to reconsider his decision to resign, "if certain conditions were met."

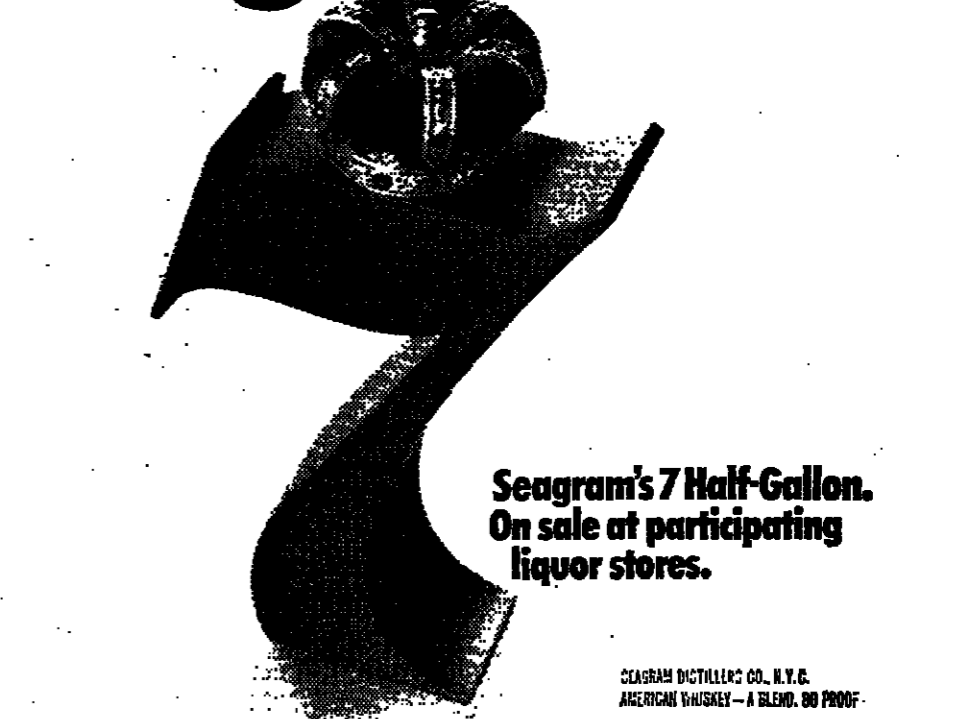
Talbert, who left the United States on business yesterday, said that he would make a final decision next week. But Malless' comments last night may make Talbert's decision easier.

Malless said that he wanted Talbert to remain on the job. But Malless said that he wasn't "aware of any conditions that he [Talbert] had laid out." And he confirmed that Talbert would not be able to make the decisions he once did.

"Basically, I had a title, but I wasn't allowed to make any decisions," Talbert said before catching a plane yesterday. "I had to refer everything to other people. If someone called me for something, say some information about sponsorship or tickets, I couldn't give a yes or no

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# Big Savings on the Big Seven.



Seagram's 7 Half-Gallon. On sale at participating liquor stores.

Various vertical text elements on the left margin, including "Cup Challenge" and "The word from satisfied customer."

# Big Derby Question: Will Speed Be Undoing of 2 Favorites?

Continued From Page 47  
sure. "We think our horse is more reliable now than he was earlier in the season."

Fast pace or slow pace, the overwhelming support for Honest Pleasure and Bold Ruler represents a continuing vindication of Bold Ruler bloodlines at longer distances. And it's the grandsons who are doing it.

Until Secretariat won the Derby en route to his 1973 Triple Crown sweep, sons of the late Bold Ruler had failed here just as their father had failed in the 1957 Derby. He finished fourth.

But the grandsons have been coming on strong. Start-

ing in 1970, the year before Bold Ruler died, his grandsons have won three of the last six Derbies: Dust Commander (by Bold Commander) in 1970, Cannonade (by Bold Bidder) in 1974 and Foolish Pleasure (by What a Pleasure) in 1975.

On Saturday, the trend is expected to be continued by either Honest Pleasure (another son of What a Pleasure) or Bold Ruler (a son of Irish Castle).

As usual, Jimmy (the Greek) Snyder has it all figured out. "They'll give Honest Pleasure his head," says the wandering minstrel from Las Vegas. "He'll win by three,

with Play the Red second, Bold Ruler third and On the Sly fourth. I made Honest Pleasure 2-5, Bold Ruler 11-5. The only thing Jolley has to worry about is the condition of Baeza."

The favorite's trainer was less than delighted by the Boston Strangler ride Baeza gave Honest Pleasure in last Thursday's Blue Grass Stakes at Keeneland. That was the colt's ninth straight victory, but he didn't get the hard, tiring effort Jolley apparently wanted.

Still, as Bertram Firestone's Florida-bred champion prepared for a final half-mile workout tomorrow, a groundswell of confidence in him was beginning to build.

Jolley says the favorite has the "action, pedigree and de-

sire" to win. But with Bold Ruler ready to look Honest Pleasure in the eye, Jolley isn't taking anything for granted. He said his colt hadn't been tested yet, the way Foolish Pleasure was tested last year en route to a Derby victory under Jolley's training.

"Foolish Pleasure was a horse that refused to give up," Jolley said. "Until somebody grabs this one, and shakes him pretty good, we won't know."

## Jockeys Give Opinions

By MICHAEL STRAUSS  
Three regular inhabitants of Aqueduct's jockey colony—Braulio Baeza, Angel Cordero, and Jorge Velazquez—are scheduled to ride in the Kentucky Derby. Despite the proximity of their important dates, however, they continued to do business as usual yesterday at the Big A.

The three jockeys will ride here again today and then leave tonight for Churchill Downs.

Baeza, last year's leading rider in the matter of earnings in the United States with \$3,695,198, holds a powerful hand in the annual 1 1/4 mile classic. The Panamanian is the regular rider of Honest Pleasure.

Between yesterday's races at Aqueduct, 10 of the jockey room's regulars were asked for their opinions about the Derby. All but one, the French rider, displayed

strong leanings toward Honest Pleasure.

Cordero, averring he was a strong believer in loyalty, said his mount in the Derby (Bold Ruler) would win. Crugnet said he felt E. C. Casman's Elucidant might pull an upset.

"This colt," Crugnet said, can come from behind and has enough speed to stay close to the early leaders and I also feel you can't count play the Red out of it."

Velazquez, who is to ride Elmendorf's Play the Red, the colt trained by John Campo, was not so high over his chances.

"I don't think anyone feels my horse has a chance going into this race," said Velazquez. "If I had my choice of mounts, I guess you'd know who I'd pick. I just hope my horse has what it takes to amaze everyone."

Other comments by jockeys were as follows: Ron Turcotte—Play the Red has lots of stretch run, but Honest Pleasure can do everything. Eddie Maple—I can't think of a horse's pleasure, but anything can happen in a Derby. I think this will be a two-horse race, with Bold Ruler in the No. 2 spot.

Mike Venezia—I have to go for Honest Pleasure because of his consistency, but don't overlook Bold Ruler. His race here at Aqueduct two weeks ago in the Wood was outstanding.

Johnny Ruane—Gotta go to Honest Pleasure. See him run in the Flamingo in Florida and he certainly looks the

part of a champ. But remember Bold Ruler is no slouch.

Jacinto Vasquez—Apart from the first two horses (Honest Pleasure and Bold Ruler), the others in that field are just horses.

George Martens (Aqueduct's youngest jockey at age 17)—I think Honest Pleasure will go to the front and Baeza never will have to look back. It's a look. But I'm not proud. I'd ride any of the other horses in the Derby just to ride in it. What a thrill that would be.

Baeza—As long as there are other horses in a race, anything can happen. Speed horses can get tired. Fortunately, my colt can go up on the front end or come off the pace. My horse even has shown no trouble with an off track, so if it rains, it rains."

Marcus Vogel's \$6-for-\$2 Bold and Fancy held off John Schiff's Co-Host to win the \$25,000 Saxon Stakes at Aqueduct at the Big A yesterday. The colt, triumphing by two lengths, was clocked in the fast time of 1:48 3/5 for the 1 1/4 miles.

## Yonkers Entries

Races listed in order of post positions. Lather: destination OTS dates.

FIRST-57,000, race, 5 1/2 miles. 1-10. 11-12. 13-14. 15-16. 17-18. 19-20. 21-22. 23-24. 25-26. 27-28. 29-30. 31-32. 33-34. 35-36. 37-38. 39-40. 41-42. 43-44. 45-46. 47-48. 49-50. 51-52. 53-54. 55-56. 57-58. 59-60. 61-62. 63-64. 65-66. 67-68. 69-70. 71-72. 73-74. 75-76. 77-78. 79-80. 81-82. 83-84. 85-86. 87-88. 89-90. 91-92. 93-94. 95-96. 97-98. 99-100. 101-102. 103-104. 105-106. 107-108. 109-110. 111-112. 113-114. 115-116. 117-118. 119-120. 121-122. 123-124. 125-126. 127-128. 129-130. 131-132. 133-134. 135-136. 137-138. 139-140. 141-142. 143-144. 145-146. 147-148. 149-150. 151-152. 153-154. 155-156. 157-158. 159-160. 161-162. 163-164. 165-166. 167-168. 169-170. 171-172. 173-174. 175-176. 177-178. 179-180. 181-182. 183-184. 185-186. 187-188. 189-190. 191-192. 193-194. 195-196. 197-198. 199-200. 201-202. 203-204. 205-206. 207-208. 209-210. 211-212. 213-214. 215-216. 217-218. 219-220. 221-222. 223-224. 225-226. 227-228. 229-230. 231-232. 233-234. 235-236. 237-238. 239-240. 241-242. 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909-910. 911-912. 913-914. 915-916. 917-918. 919-920. 921-922. 923-924. 925-926. 927-928. 929-930. 931-932. 933-934. 935-936. 937-938. 939-940. 941-942. 943-944. 945-946. 947-948. 949-950. 951-952. 953-954. 955-956. 957-958. 959-960. 961-962. 963-964. 965-966. 967-968. 969-970. 971-972. 973-974. 975-976. 977-978. 979-980. 981-982. 983-984. 985-986. 987-988. 989-990. 991-992. 993-994. 995-996. 997-998. 999-1000. 1001-1002. 1003-1004. 1005-1006. 1007-1008. 1009-1010. 1011-1012. 1013-1014. 1015-1016. 1017-1018. 1019-1020. 1021-1022. 1023-1024. 1025-1026. 1027-1028. 1029-1030. 1031-1032. 1033-1034. 1035-1036. 1037-1038. 1039-1040. 1041-1042. 1043-1044. 1045-1046. 1047-1048. 1049-1050. 1051-1052. 1053-1054. 1055-1056. 1057-1058. 1059-1060. 1061-1062. 1063-1064. 1065-1066. 1067-1068. 1069-1070. 1071-1072. 1073-1074. 1075-1076. 1077-1078. 1079-1080. 1081-1082. 1083-1084. 1085-1086. 1087-1088. 1089-1090. 1091-1092. 1093-1094. 1095-1096. 1097-1098. 1099-1100. 1101-1102. 1103-1104. 1105-1106. 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# St. John's Plans Opener With Soviet Five, Names Scott May Lapchick Trophy Winner



Lou Carnesecca

By AL HARVIN

A smorgasbord, in more ways than one, is what the St. John's Athletic Department served at its luncheon at Mamma Leone's yesterday. After the antipasto, the prosciutto and the pasta came a buffet of announcements about the school's athletic program that included: The basketball schedule for next season, with a tentative opening game scheduled against the Soviet Union and possible visits from the Italian, Israeli and Yugoslavia teams.

Scott May, the University of Indiana all-American was named winner of the Joe Lapchick Trophy as the outstanding senior basketball player in the country. May has been invited to attend the St. John's dinner on Monday. St. John's has joined in sponsoring the trophy annually in association with the Naismith Memorial Basketball Hall of Fame.

Track and field and cross country will be added to the women's varsity program, bringing the total to six

sports. The school will sponsor two invitation meets in those two sports to stimulate interest.

Steve Bartold, the track coach, was named coordinator of the men's and women's program, with Walter Kroman as the assistant for the women's team. Bartold said he was optimistic about two freshman male prospects, Joe Schneider of Bayshore and Charlie Pensa of Hampton Bays.

In his first collegiate outing in the Florida relays, Schneider just missed making the National Collegiate qual-

ifying score in the decathlon. In his second effort as a collegian, Pensa threw the discus 168 feet against C.W. Post, setting the school record. He is also a strong sprinter and pole vaulter.

Four women athletes who will be attending St. John's on partial athletic scholarships in the fall were introduced. They are Laura Flower, a basketball player from Stella Maris High in Far Rockaway Park, and three swimmers, Lisa Bauman of Herricks High in New Hyde Park, L.I.; Nancy Midwinter of St. Mary's High in Man-

hasset, L.I., and Stacie Powers, a diver, from West Islip (L.I.) High.

Dick Krempecki, the swimming coach has been placed in charge of coordinating the overall swim program with Bob McGuire as his assistant for the women's team and Frank Korowitz as the diving coach working with both men and women.

The captains of the men's and women's basketball teams were named — Glen Williams, a 6-foot-4-inch, 185-pound, senior guard from St. Thomas, Virgin Islands, and Susan Brethauer, a

guard from St. Raymond's High in the Bronx.

However, all the St. John's activities are not planned for the distant future. Tonight the first Big Apple Classic, an all-star basketball game, will pit the New York Stars against the Nation, stars from other parts of the country. Phil Sellers and Mike Dabney of Rutgers and Beaver Smith of the Redmen will be the featured players in the game to be played at St. John's gym at 6 P.M. Lou Carnesecca, the St. John's coach,

will direct the New York team.

St. John's teams in baseball and golf are currently enjoying good seasons. The baseball team, coached by Joe Russo, has a 20-2 won-lost record and is riding an 18-game winning streak, with 17 games to play. The golf team, coached by Jack (Doc) Gimmier, retained the Long Island intercollegiate championship recently and is aiming at taking its second straight Metropolitan intercollegiate title on May 13.

# Enjoy the Derby in your own Kentucky home.



Take yourself a bet at OTB (Derby betting will be available all day Friday and Saturday 'til 5:15 pm).  
 Take yourself a mint julep (bourbon, in a tall glass of crushed ice with crushed mint and sugar).  
 Take yourself comfortable at your TV set (Saturday at 5-6 pm, Channel 7, ABC-TV's Wide World of Sports).  
 And you've got it made—in the shade... at your own Kentucky home.

The following bets will be taken on the Derby:  
 Win, Place and Show you can bet in denominations of \$2, \$5, \$10, \$50 and \$100.  
 Exacta and Quinella you can bet in denominations of \$3, \$5, \$10, \$50 and \$100.



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# Chris Evert, No. 2, Begins Comeback

Special to The New York Times

LA ISLAND, Fla. — Trying harder now than ever, Chris Evert was quest for a third title in the Family Circle Cup today by subduing Wendy Turnbull of Australia in a first-round match at Boston.

Evert conceded she "doesn't" since being young Diane Fromm's opponent in a first-round match at Boston two weeks ago. Two straight wins by Evonne Goolbsong has overtaken the 34-year-old as the top women's player, but Evert's mind is on the "You're darn right I'm still early in the tournament" while her potential, while Miss Goolbsong playing here because of Evert's commitment.

Evert had an early start at the tournament, being a composition day second-seeded Martina Navratilova narrowly edged her in her first round match.

month, the 19-year-old left-hander had to recover from 0-3 in the final set before turning back Sunny Brumming of La Jolla, Calif., 6-3, 1-6, 6-4.

Miss Navratilova, who had been sidelined with tendinitis in her left wrist and a sprained ankle, showed poor timing and sluggishness in the second and third sets. But she steadied down, extracting numerous errors from Miss Brumming, and went on to win five of the last six games.

Miss Brumming got into the draw of 32 as a "lucky loser." She was beaten by Sally Green, a three-time U.S. Open qualifying match, then backed into the draw when Marcie Louie of San Francisco had to withdraw because of a sprained ankle.

Third-seeded Marita Redondo of National City, Calif., also advanced by defeating Sally May of Beverly Hills, Calif., 6-3, 5-7, 6-2.

Other results:

Lizley Hunt, Australia, defeated Kathy Harter, 6-4; Pam Tomkinson defeated Ulysses Bouchard, South Africa, 6-3, 7-5; Billie Jean King, Great Britain, defeated Johanna Ruzsasi, 7-5, 6-4; Canada, 7-5, 6-4; Sam Barber, Britain, defeated Isabel Fernandez, Colombia, 7-5, 6-2; Vera Zvonareva, Soviet Union, defeated Iliana Klitsch, Soviet Union, 6-3, 6-2; Iliana Klitsch, Soviet Union, defeated Iliana Klitsch, Soviet Union, 6-3, 6-2; Argentina, defeated Julie Anthony, 7-5, 6-2.



Dave Cowens of the Celtics eyeing the basket as John Shumate of the Braves guarded him at Buffalo last night.

# Talbert Weighs Open Role

Continued From Page 47

answer. In something as small as when to water a court, I had to get permission from someone else.

"If I have the title of director, I have to have something to do. I can't remain in this job without the authority to make the decisions. If you don't want me, say you don't want me. But don't put me in this kind of position; I don't need this."

In the six years Talbert served as director of the Open, ticket sales grew from

60,000 in 1969 to 220,000 last year. And total revenue from ticket sales rose from \$445,000 to \$1,368,000.

"The record wasn't there, but look at the record. The record is there. I guess some people don't like success. I guess I've rubbed some people the wrong way."

Talbert said that in the last few months most of his authority as tournament director has been shifted. The U.S.T.A., which runs the tournament over all, and the West Side Tennis Club, where the Open is played annually, have assumed greater authority over the functioning of the tournament.

needed watering during the tournament that I first had to have it cleared by Tedesco."

One of the conditions that Talbert told Malless had to be satisfied was that Talbert had some authority over the grounds during the tournament. He agreed that Capital Sports Inc. could continue to sell sponsorship and that the U.S.T.A. could continue to handle press relations. But he insisted, "If I'm the director, I want to be able to say 'yes' or 'no' to people as I have in the past. I've done a good job for six years. I don't understand why suddenly I'm not given anything to do."

## Soviet Captures Davis Cup Series

MOSCOW, April 28 (AP) — The Soviet Union took an unbeatable 3-0 lead over Monaco in the European Zone Davis Cup tennis series today at Tbilisi in Georgia, the Tass press agency said.

Temuraz Kakuliyev and Konstantin Pugayev beat Luis Borliva and Bernard Ballet in doubles, 6-7, 6-3, 6-3. Earlier Kakuliyev defeated Borliva, 7-5, 6-3, 6-4, and Vadim Borisov vanquished Ballet, 7-5, 6-2, 10-8.

## Shifting the Workload

Recently, the U.S.T.A. hired Capital Sports Inc., a Park Avenue marketing firm, to sell sponsorships to private companies for the Open. And it assumed responsibility for issuing tournament press releases. In the past, Talbert and his office had handled both duties.

Malless said that those steps were taken by the U.S.T.A. because, "The tournament is getting so big that we have to spread out the work. It's impossible for one man to do it all."

## Praise for Talbert

Talbert's decision to reconsider his resignation stemmed from a phone conversation he had with Malless, during which Malless told him, "We like you. Everybody likes you. Don't leave us."

But Talbert was unconvinced that everyone felt that way because so much of his responsibility had been stripped from him, although Malless said last night that Talbert had done, "a great job."

## Soviet Captures Davis Cup Series

ZAGREB, Yugoslavia, April 28 (AP) — Nikki Pilić of Yugoslavia beat Nikki Kalogeropoulos of Greece, 6-3, 6-2, 6-2, in the European Zone Davis Cup tennis competition today.

The second singles match between Zeljko Franulovic of Yugoslavia and Nikki Kalogeropoulos was interrupted by rain and darkness at 2-2 in the first set.

## Nastase Beats Borg

COPENHAGEN, April 28 (AP) — With tiebreaker in all sets, Ilio Nastase of Romania beat Sweden's Bjorn Borg, 7-6, 7-6, 6-7, 7-6, before 5,000 fans in a head-to-head match. The 26-year-old player received \$10,000. Nastase has an 8-4 edge in their career meetings.

## Watch the Birdie

Camera enthusiasts catch up on the world of photography in the Arts and Leisure Section of the Sunday New York Times.

# Line of Islanders Put Out by Canadians

By ROBIN HERMAN

Special to The New York Times

ARBOUR was early on the ice as the New York Islanders' summer camp, Scotty Bowman's way of preparing the team for the season, turned out to be a lesson in how to be outplayed.

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Arbour was early on the ice as the New York Islanders' summer camp, Scotty Bowman's way of preparing the team for the season, turned out to be a lesson in how to be outplayed.

## College, School Results

BASEBALL

Albany 9, 5 (10) ... Plattsburgh 4, 4 (10)

Buffalo 7, 2 (10) ... Cortland 4, 2 (10)

Delaware 7, 2 (10) ... Penn State 7, 2 (10)

Edison 7, 2 (10) ... Niagara 7, 2 (10)

Franklin & Marshall 7, 2 (10) ... Gettysburg 7, 2 (10)

Longwood 7, 2 (10) ... York 7, 2 (10)

Shippensburg 7, 2 (10) ... Susquehanna 7, 2 (10)

York 7, 2 (10) ... York 7, 2 (10)

## Pro Transactions

BASEBALL

CHICAGO (AP) — Fred Stone, pitcher, has been released and reactivated by the Phillies.

ATLANTA (AP) — Gene Matthews, pitcher, has been released by the Braves and reacquired by the Phillies.

NEW ENGLAND (AP) — Fred Stone, pitcher, has been released by the Phillies and reacquired by the Braves.

# Mazda Announces Air Breather Condition at \$435 off list price.

... had learned to defensive tradition. P. Roberts' arborough a de- the other two. ke and Gaimey, a third National age season, were Roger Neilson. rd say, "Jarvis' ob is to play, ockey and say- do offensively is for us." 1-0, 3-2, ie type of game. We pretty well the equivalent of Trophy. Numer- we'd be outshot in, 1-0.

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## British Soccer

ENGLISH LEAGUE

SECOND DIVISION

Bolton Wanderers 1, 0 (10) ... Rovers 1, 0 (10)

Crystal Palace 1, 0 (10) ... Charlton 1, 0 (10)

Sheff Wed 1, 0 (10) ... Luton 1, 0 (10)

## GOLF

Montclair 5, 112 (F.D., 12)

LACROSSE

Adelphi 17, 10 (10) ... Madison 10, 10 (10)

Brookfield 12, 10 (10) ... Green 5, 2 (10)

Concord 12, 10 (10) ... Haverhill 12, 10 (10)

## TENNIS

Stevens Tech 7, 2 (10) ... Delaware Valley 2, 2 (10)

## Playoff Results

N.H.L. Playoffs

SEMI-FINAL ROUND

Islanders vs. Montreal 2, 1 (10) ... 3-2 P.M.

April 27—Montreal, 3-2 P.M.

April 28—Montreal, 3-2 P.M.

## W.H.A. Playoffs

New England vs. Indianapolis

April 19—Ind., 4, N. Eng. 0.

April 21—N. Eng. 3, Ind. 0.

April 22—N. Eng. 2, Ind. 0.

## LEGAL PUBLIC NOTICE

### STATE OF NEW YORK PUBLIC SERVICE COMMISSION—ALBANY

Case 26985—1976 Long-Range Electric Plans. April 2, 1976

NOTICE is hereby given that, in accordance with the requirements of Section 149-b of the Public Service Law and the Commission's Rules of Procedure (16 NYCRR, Part 82), public hearings on the long-range system plans filed with the Public Service Commission on April 1, 1976, by the New York Power Pool and the Empire State Electric Energy Research Corporation will be held before the Commission on Thursday, May 6, 1976, at 10:00 a.m., to be continued Friday, May 7, 1976, at the offices of this Commission, Empire State Plaza, Albany, New York.

As in past years, the public hearings on the 1976 long-range plans will include presentations of the Power Pool and the electric corporations, questions of these representatives by the Commission and its General Counsel, and oral or written comments by interested persons. The topics addressed in the 149-b filing, the subject of these hearings, include: demand and energy forecasts, capacity additions, generation site selection, transmission facilities, and research and development programs. The Commission expects to follow the following approximate schedule:

May 6, 1976

10:00 a.m.—10:45 a.m.—The New York Power Pool will discuss the Pool's long-range plan and its many implications.

10:45 a.m.—12:30 p.m.—Representatives of the New York Power Pool—analysis of a) Load forecasting including a description of the National Economic Research Association's Report. b) Capacity Expansion Planning including installed reserve criteria, economics, and siting.

12:30 p.m.—1:30 p.m.—Lunch recess

1:30 p.m.—3:30 p.m.—A panel of representatives from the Pool and each of its members will answer questions.

3:30 p.m.—Oral comments from the public.

May 7, 1976

10:00 a.m.—11:00 a.m.—The Pool will make a presentation concerning research and development and will answer questions.

11:00 a.m.—Oral comments from the public.

## FURTHER NOTICE

is hereby given that, in order to analyze in depth the statewide need for additional generating units, additional hearings (Phase II hearings) shall be held, in addition to the initial public hearing to be held before the entire Commission, to investigate the Power Pool's and the electric corporations' load forecasts (including an analysis of forecasting methodology and conservation's impact) and capacity additions (including an analysis of the reserve requirement standard adopted by the Power Pool.) The Commission intends to submit for incorporation in Article VIII proceedings the evidentiary record made in Phase II of this long-range planning proceeding.

Testimony for this second phase of hearings shall be prefilled by the New York Power Pool on or before April 30, 1976. Cross-examination of the Pool's witnesses shall commence on Wednesday, June 2, 1976, at 10:00 a.m., to be continued through June 4, 1976, at the offices of this Commission, Empire State Plaza, Albany, New York, with further hearings, if necessary, to commence on Wednesday, June 9, 1976. Commission Staff and intervenors' testimony shall be prefilled on or before July 16, 1976, and cross-examination of Staff and intervenors shall commence on Wednesday, August 4, 1976, at 10:00 a.m., to be continued as necessary, at the offices of this Commission, Empire State Plaza, Albany, New York. The time for prefiling and cross-examination of rebuttal testimony, if such testimony is necessary, shall be determined after the commencement of the Phase II hearings.

Written comments on the long-range plans may be submitted to Samuel R. Madison, Secretary of the Public Service Commission, Empire State Plaza, Albany, New York 12223, any time prior to July 15, 1976. Persons wishing to make oral comments at the initial phase of public hearings (May 6-7, 1976), including oral comments to supplement or amplify written comments, should notify the Secretary prior to the hearing dates. Within the time available for public comments, priority will be given those who have so notified the Secretary. In order to accommodate all those who wish to be heard, members of the public are requested to limit oral comments to ten minutes.

Questioning of representatives of the various electric corporations at the initial phase of public hearings in this proceeding will be conducted primarily by members of the Commission and its counsel. If time permits, questions of a clarifying nature may be addressed to the panel of utility executives by members of the public. Persons desiring further information or assistance should contact Staff Counsel David Hecker, Empire State Plaza, Albany, New York 12223, or call (518) 474-7072.

Copies of the long-range plans are available for inspection at 4 Irving Place, Manhattan, 310 E. Kingsbridge Road, Bronx, 41-82 Main Street, Flushing (Queens), 30 Flatbush Avenue, Brooklyn, 60 Bay Street, Staten Island and 210 Westchester Avenue, White Plains between 8:30 a.m. and 5:00 p.m. each week day. A copy of the 1976 long-range plans may be procured by contacting Stephen B. Bram at 4 Irving Place, New York, N. Y. 10003 (212) 460-3416.

Because individual proceedings of a judicial nature will be conducted for each proposed major generating facility or transmission line which may be proposed eventually for construction, the scope of this proceeding will not include an in depth inquiry into particular sites for generating facilities or specific routes for transmission lines. Rather, the parties should address their comments to the planning features of the subject presentation, including such aspects as the following:

- (1) adequacy of the data;
  - (2) demand forecasts;
  - (3) adequacy of supply;
  - (4) generating mix;
  - (5) adequacy of planned transmission grid;
  - (6) the reasonableness of the assumptions underlying the various projections;
  - (7) the format of the presentation; and
  - (8) research directions and priorities.
- SAMUEL R. MADISON, Secretary

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NEW YORK: Specialty Nursery & Garden Goods, Inc., Hester St. Nursery, Kell Bros., Larchmont, Tony's Nursery, Garden City, ABC's Garden Center, Carone, Whitty's Nursery, Abby's Garden Center, Massapequa Seed & Garden Supply, Burt's, Rogoff's Nursery, Mr. Klara, Michael's Garden Cole Nursery, Flushing Park Florist, Pleasant Hills, McCandless Florist, Hawthorne, Green Valley Nursery, Rockdale Nursery.

# Two Crash Recording Devices Found In Search of Wreckage on St. Thomas

By RALPH BLUMENTHAL

Special to The New York Times  
CHARLOTTE AMALIE, Virgin Islands, April 28—Investigators assigned to find the cause of yesterday's crash of an American Airlines 727 jet have begun focusing attention today on a key question of how far down the unusually short runway the plane made its first contact. The crash killed 37 of the 88 passengers and crew members on board.

American Airlines officials acknowledged that initial reports indicated the airliner had touched down "long." This would mean it had made contact fairly far along the 4,658-foot strip before veering off the end, shearing off a mahogany tree, crashing into a gasoline station and coming to rest in flames against a coconut palm.

Crash Records Found  
Could it have been misjudgment, or might something have happened to the crew? Did a sudden change in winds cause the plane to float in the air farther than expected after the pilot pulled back his throttles for the landing?

Did something go wrong with the brakes or thrust reversers, which might have prevented the crew from slowing the plane, even after a "long" landing, and accelerating the extent of the accident?

National Transportation Safety Board investigators spent most of the day sifting through the charred, shredded wreckage littered with strewn baggage. They would not, or could not, say how far down the runway the plane had traveled before the wheels first touched. They did recover two key crash

recorders, the cockpit voice recorder and the flight data recorder, that should provide some precise answers to what happened. These were flown to Washington for analysis.

One hospitalized passenger who had left her seatbelt unbuckled and survived the crash and fire by crawling out a window said she felt the pilot had tried to lift off again fast after landing only to have the plane plummet.

"A lot more could have been saved," said Cheryl Ellis, a 27-year-old New York telephone employee from the Bronx, but the fire stopped them. A lot of people were crunched down in their seats and didn't want to leave—it was too hot."

She began sobbing. Among those who went today to Kunt Manson Hospital to comfort the victims was Albert Casey, the chairman of American Airlines, who arrived at noon and said he planned to stay several days "bringing sympathy and any possible aid."

American Airlines provided the following casualty figures: 37 persons missing and presumed dead, including two flight attendants; 20 hospitalized, including two flight attendants; 31 treated and released, including the cockpit crew, Capt. Arthur J. Bujnowski of Huntington, L.I., First Officer Edward Offchiss of Sandy Hook, Conn., and Flight Engineer Don C. Mestler of Smithtown, L.I.

While 37 passengers and crew members were listed as missing, 36 bodies had been recovered by late today. The slow process of identifying specific persons as dead went on into the night.

American Airlines officials who came here to handle the hectic aftermath of the crash said they had no information about anyone on the ground killed or hurt as the plane plowed to earth. However, they did recover two key crash

Board, which supplied 11 of the estimated 60 investigators combing the site, was checking reports that at least one passenger may have been killed.

There was little mystery about the path of the jet: It left a shattered trail flying past the end of the 4,658-foot blacktop runway and a 500-foot-long concrete overrun section, the plane slashed through a restraining fence and mounted a 10-foot-high earth embankment.

The jet then cut off a thick mahogany tree about five feet from the ground and an electrical pole, raked the edge of a Shell gasoline station and came to rest with its nose flattened against a palm tree outside a distribution center of the Warner-Lambert Pharmaceutical Company.

"Everybody Went Flying"  
Miss Ellis, the survivor who recalled the crash from her hospital bed, said she had left her window-side seatbelt unbuckled because it was too tight. Next to her was her friend Beverly Demonde, and on the aisle a woman with a baby.

"I thought we were coming down too fast," she recalled, "and the next thing I knew the plane came straight down and came right up again fast and then down again like this" her hand made a dive onto the bed cover.

"Everybody went flying up in the air. It was so hot and every now and then there'd be a boom. The seats were landing on the floor in the middle of the plane. I remember trying to get up. The smoke was real thick. My girlfriend screamed my name but I couldn't see her."

"Then I looked over in the aisle and I saw a baby trapped by the head, just swinging." "People were pushing and shoving, trying to get out through the windows. My girlfriend didn't know how to work her seatbelt."

"They never found Beverly," she said, weeping.



Tail section of American Airlines jet rests at end of runway at airport in St. Thomas, Virgin Islands

# Retired Fireman Helps Save Others in Plane Crash

By PETER KIESS

Cecil Shackleton, a retired fireman whose window-gate invention is used in thousands of New York City homes with Fire Department approval to guard against burglars, was trying to save lives again in Tuesday's American Airlines crash on St. Thomas in the Virgin Islands.

His daughter, Nora, said at their home in Roosevelt, L.I., yesterday, that she had learned that her 48-year-old father, one of the passengers, had first got her mother, Vivian, 42, out of the plane. Then, Miss Shackleton said, he also extricated a little girl who had been strapped in with a seat belt.

A fellow member of the Fire Department's Vulcan Society, Neville K. Martin, was among the 37 listed as missing or dead. He and Mr. Shackleton were among a half-dozen members in the Bronx when he could not get through a padlocked grille to reach a mother and daughter.

The invention is a protective grille hinged on one side and secured to the window on the other side by a latch that can be opened from the inside without a key while kept in a box to prevent a burglar from manipulating it with a wire. Mr. Shackleton retired from the department in 1969, after the device had won city approval and he had suffered a back injury.

Those on the list of missing or dead were a cross section of America. Among the confirmed dead were Russell V. Ticknor, a lawyer, of Katonah, N.Y.; his wife, once been honored in a City Hall ceremony by Mayor Robert F. Wagner for saving a life while a Sanitation Department member.

For the last six years, Mr. Martin dressed up as the Vulcan Society's Santa Claus, bringing gifts to Cumberland, Kings County and Harlem Hospitals. He was "an excellent firefighter, an outstanding man," Lieutenant Harris said.

Mr. Shackleton, who has eight children, suffered some slight burns, while his wife sprained an ankle and incurred second-degree burns. David Kaufman, president of the J. Kaufman Iron Works of the Bronx, said the window gate developed by Mr. Shackleton, in conjunction with the late Richard Williams a fire lieutenant, and Carlos Quinones, was required in projects of the New York City Housing Authority and some others.

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Shackleton struggled with after he won the Fire Department's Medal of Honor in 1962 for rescuing two people from a fire among a half-dozen members in the Bronx when he could not get through a padlocked grille to reach a mother and daughter.

The invention is a protective grille hinged on one side and secured to the window on the other side by a latch that can be opened from the inside without a key while kept in a box to prevent a burglar from manipulating it with a wire. Mr. Shackleton retired from the department in 1969, after the device had won city approval and he had suffered a back injury.

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while he went on vacation; his wife, Gloria, had remained at home with their children. Mrs. Mosley said she had learned her husband had been killed.

John McPherson, 34, was an American Airlines airport supervisor in St. Thomas, and had been with the airline since 1970. His wife, Joyce, said he had been returning there from a short trip.

Three women had been Syracuse high school chums, and made frequent vacation trips together. They were Adrienne Stack, 42, office supervisor in the plant department, and Dora Thibault, 45, right-of-way agent, both for the New York Telephone Company for which they had worked more than 20 years, and a former company employee, Mary Flanagan, who left in 1966 to join Mutual of New York, the insurance company.

Beverly Demonde of the Bronx was traveling with Cheryl Ellis, a friend. Miss Ellis said she escaped with a burned foot, not having fastened her seat belt because she thought it too tight. Miss Demonde's seat belt and her seat Authority conductor since 1970, missing.

# Experts Doubtful on Safety at the St. Thomas Airport

By RICHARD WITKIN

In the eyes of numerous safety experts, Tuesday's plane crash on St. Thomas, in the United States Virgin Islands, is deemed a textbook example of a crash that was almost bound to happen, sooner or later. The reason: Conditions at the Caribbean airport—the short runway and the hills confronting an airliner at the far end after an eastbound over-water approach—provided little safety cushion in case of trouble, even though they met official criteria.

The specialists liken the accident to several others that have been brought corrective measures that had long been urged on authorities to forestall disasters that, it was feared, were likely to happen at any time.

A notable parallel was the crash of an Electra turboprop in the East River as it glided toward a landing at LaGuardia Airport more than a decade ago. The crash hastened the long-sought installation of an approach-light pier out into the river to protect pilots from disorientation in the dark, over-water approach.

Another was the crash of a jet in the hills west of Washington's Dulles International Airport in December 1974. The accident led to significant changes in air-traffic procedures and to clarification of air-traffic language that had often caused confusion between

pilots and controllers. Safety experts had persistently predicted that the old rules and procedures would inevitably contribute to a serious crash.

Now, in the wake of the American Airlines crash on St. Thomas, in which 37 of the 88 persons aboard were killed, it is generally believed that the much-criticized aspects of the airport will be ordered alleviated. It will take millions of dollars, however, and several years of work.

There are those who refuse to subscribe to the theory that conditions at St. Thomas added to "an accident waiting to happen." A spokesman for the Federal Aviation Administration emphasized that the 4,658-foot runway had been certified as perfectly adequate for planes the size and speed of the Boeing 727 that crashed Tuesday.

American's senior vice president for operations, Donald J. Lloyd-Jones, said, "We would not have been operating in there if we didn't think it was safe." He conceded, however, that "the safety tolerance is less than in other airports."

The great majority of observers interviewed yesterday were much less charitable in their views about conditions at St. Thomas. And phrases like "safety margin" and "safety cushion" kept cropping up in their remarks.

healthy safety cushion is often needed to avoid a crash. Few specialists contended that conditions at St. Thomas provided more than a "marginal" cushion.

The most outspoken critic was Capt. J. J. O'Donnell, head of the Air Line Pilots Union, who had no union stake in the St. Thomas accident because American's pilots have a union that is not part of his organization.

Citing the St. Thomas crash as a typical result of inadequate facilities, Captain O'Donnell warned: "There'll be another one there, no question about it. It's like playing Russian roulette with a gun with five bullets in it."

He said the runway should be lengthened to at least 7,000 feet but bemoaned the fact that, even if such a decision were made, it would "probably take seven or eight years" to do the work.

Captain O'Donnell recalled that he had written the Federal authorities after a similar crash in December 1970, in which two died, demanding that the airport be extended. But the answer was, he said, that such improvements would only come slowly because of "local politicians and ecologists."

worst of three categories and is defined as covering airports that are "seriously deficient." The others are "deficient" and "seriously deficient."

The spokesman said the two other "black star" airports that had been singled out by the international union were those at Los Angeles and Anchorage, Alaska.

The Los Angeles rating was brought on by a night-curfew noise-reduction requirement imposed some months ago. The same takeoffs are made to the west, but over the Pacific, on one runway while landing approaches are made in the opposite direction on a parallel runway a mile away. The pilots fear the one-mile separation of runways, and the radar monitoring of traffic controllers on the ground, are not sufficient guarantee against a possible head-on collision.

Anchorage was cited, it was said, because it has been operating under conditions often requiring landings or takeoffs in hazardous crosswinds. Since the ratings were issued, steps have been initiated to correct the problem. But Mr. O'Donnell said some political pressures were causing delays in implementing improvements.

LEGAL  
NOTICE OF NAMES OF PERSONS APPEARING AS OWNERS OF CERTAIN REAL PROPERTY HELD BY THE UNITY MUTUAL LIFE INSURANCE COMPANY OF SYRACUSE, NEW YORK.

# List of the Missing and Injured in Crash

Following is the list of missing, hospitalized and released victims in the American Airlines crash that occurred Tuesday on St. Thomas in the Virgin Islands.

- ADAMS, Lynn, 170-09 88th Avenue, Jamaica, Queens.
- ADAMS, Raymond, infant, 170-08 88th Avenue, Jamaica, Queens.
- ALVAREZ, Celeste, 118-41 Metropolitan Avenue, Kew Gardens, Queens.
- ALVAREZ, Keith, 118-41 Metropolitan Avenue, Kew Gardens, Queens.
- BROWN, Joseph, 78 Charles Street, New York City.
- BROWN, Mrs. Gordon, 228 Mount Arty Drive, Rochester.
- BUCKEER, Mommouth G., 43 Lincoln Drive, Poughkeepsie, N.Y.
- BUCKEER, Henry, 334 Wickham Drive, Poughkeepsie, N.Y.
- BRAKE, Mrs. Christine, St. Thomas.
- BRAKE, infant, St. Thomas.
- CARRARA, Joan Kravik, flight attendant.
- DEMONDE, Beverly, 801 Tilden Street, Bronx.
- FLANAGAN, Mary, 107 Avoca Avenue, Syracuse.
- HENDERSON, 444 East 86th Street, New York City.
- LOMAX, Virginia, 40 Washington Street, East Orange, N.J.
- LEWIS, Carol, 88-35 164th Street, Jamaica, Queens.
- MARTIN, Neville K., 150 West 174th Street, Bronx.
- MCPHERSON, John, 188 Roosevelt Avenue, Bergenfield, N.J.
- MOSLEY, Henry, 334 Wickham Avenue, Bronx.
- MILLER, Tangenique, infant, 429 Millford Street, Brooklyn.
- PAPRITZ, Randy, 2261 Palmer Avenue, New Rochelle, N.Y.
- PICKETT, Elizabeth, flight attendant.
- REAVES, Helene, 572 Warren Street, Brooklyn.
- RILEY, Hope, 391 Reef Road, Fairfield, Conn.
- SKINNER, Charles, 1000 Pollock Street, Kingston, N.C.
- SKINNER, Mrs. Charles, 1000 Pollock Street, Kingston, N.C.

- SCHLEY, Nora, 142-03 168th Place, Springfield Gardens, Queens.
- SCOTT, Cheryl, 1245 Park Avenue, New York City.
- SCOTT, infant, 1245 Park Avenue, New York City.
- STACK, Adrienne, 909 Caleb Avenue, Syracuse.
- TABACCO, Louis, Ann, 95-55 110th Street, Richmond Hill, Queens.
- THIBAUT, Dora, 866 Ackerman Avenue, Syracuse.
- TICKNOR, Ruth, 8 McQueen Street, Katonah, N.Y.
- TICKNOR, Russell, 8 McQueen Street, Katonah, N.Y.
- WEST, Debra, 1120 X 229th Street, Bronx.
- WOOD, James, 300 Jackson Blvd., Nashville, Tenn.
- WOOD, Mrs. James, 300 Jackson Blvd., Nashville, Tenn.

- WEBER, Henry, 124 Yorkshire Road, Rochester.
- WEINER, Mrs. Henry, 124 Yorkshire Road, Rochester.

- TREATED AND RELEASED
- BARLEY, Leon, 458 West 14th Street, New York City.
- BRIDGEN, Richard, 1038 West Road, New Canaan, Conn.
- BRIDGEN, Mrs. Sally, 1038 West Road, New Canaan, Conn.
- BUNOWSKI, Arthur, Huntington, L.I., captain.
- CLARK, Everette M., New York City.
- DADEN, Sherille, 929 East 220th Street, Bronx.
- HILLS, Dorothy, 715 Logan Street, Brooklyn.
- HORSLEY, John, Madingley Road, Cambridge, England.
- HOMBALAN, Mohammed, Estate Whip, St. Croix.
- LOJAS, Wlad, 210 Hamilton Place, Hackensack, N.J.
- MEADE, Teresa, 629 West 149th Street, New York City.
- MESTLER, Donald C., Smithtown, N.Y., flight engineer.
- MILLER, Carmen, 429 Millford Street, Brooklyn.
- OFFCHISS, Edward R., Sandy Hook, Conn., first officer.
- PALMER, Rosalie, 218 Mount Airy Drive, Rochester.
- PARSON, Edna, 920 Trinity Avenue, Bronx.
- PRINUS, Berthe, 1335 Pacific Street, Brooklyn.
- ROSE, Wlad, 539 Bergen Street, Brooklyn.
- RUILEDGE, Jerry Lynn, Warren E. Brown Apts., St. Thomas.
- SHARP, Thomas, 864 Hunters Creek Lane, New Canaan, Conn.
- SHARP, Mrs. 864 Hunters Creek Lane, New Canaan, Conn.
- SMITH, Albert, 773 Barrymore Lane, Bethlehem, Pa.
- SMITH, Agnes, 773 Barrymore Lane, Bethlehem, Pa.
- STONE, Pamela, 20-215 East Eighth Mile, St. Claire Shores, Mich.
- THOMAS, David, 167 Sumner Street, Brooklyn.
- TONINO, Rudolph, 41-48 Cleane Street, Elmhurst, Queens.
- WHITE, Christine, Lindenwood Court, Kinderhook, N.Y.
- WOODLEY, F., Mariendahl, St. Thomas.
- WOODLEY, Mrs. Regina, 143-19 102d Avenue, Jamaica, Queens.
- WOODLEY, infant, Jamaica, Queens.

The persons whose names and last known addresses are set forth below appear from the records of the above-named life insurance corporation to be entitled to abandoned property in amounts of fifty dollars or more.

A report of unclaimed property has been made to Arthur Leffler, the Comptroller of the State of New York, pursuant to §701 of the Abandoned Property Law of the State of New York. A list of the names contained in this report is on file and open to public inspection at the principal office of the corporation located at 4989 Onondaga Road, in the City of Syracuse, New York, where such abandoned property is payable.

Such abandoned property will be paid on or before August 31st next to persons establishing to its satisfaction their right to receive the same.

In the succeeding month of September, and on or before the tenth day thereof, such unclaimed property will be paid to Arthur Leffler, the Comptroller of the State of New York, and shall thereupon cease to be liable therefor.

UNITY MUTUAL LIFE INSURANCE COMPANY  
Abraham Gottlieb, Actuarial Dept.

## We must stop killing the CIA.

Melvin Laird sorts out the allegations about the CIA, against the truth. In this penetrating article, he shows how ruining CIA is a good way to commit national suicide. Read "Let's Stop Undermining the CIA," in May Reader's Digest

## Could you answer these American history questions?

## Did the Constitution authorize Presidential nominating convention?

## Could married women hold property their own names before the Civil War?

## Why did President Truman decide to have the atomic bomb dropped?

That's a sample of the questions on The New York Times American history test recently taken by over 1,800 college freshmen... coast to coast.

During this Bicentennial year, The Times wanted to find out how much students really know about American history, how American history is being taught... and what are students' attitudes toward our nation's past.

Start this three-part series

# Sunday, May 2, in The New York Times

# Anonymity May Be South American

MIAMI, April 28—South American dealer's refusal to identify himself could cost him the money was seized from officials in Feb when they arrested Whitehead, a Bahamian who was trying to smuggle the currency in his home country.

Mr. Whitehead, a dealer in Miami, was arrested at an airport and asked him to identify the man in the home country.



SCHOOL OF...  
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Tel: 914-432-7000  
Fax: 914-432-7001  
Hempstead, N.Y. 11550  
Tel: 516-482-4400  
Fishing, N.Y. 11737  
Tel: 516-482-4400

On April 9, 1976, the officers, directors and members of the Board of Directors of the National Association of Broadcasters of New York State, Inc. (NAB) met at the Radio Station WADO, 1200 W. 4th St., New York, N.Y. to discuss the proposed merger of WADO, New York, with the Federal Communications Commission (FCC) and the National Association of Broadcasters of New York State, Inc. (NAB). The officers, directors and members of the Board of Directors of the National Association of Broadcasters of New York State, Inc. (NAB) are:

- Raymond L. Mason
- John H. Hannon
- George Wilson Crowl
- Francis J. Loughlin
- Thomas J. Loughlin
- Marshall Bernstein
- A. Edward Melton
- Eric M. Jentz
- Edward P. Larkins
- Arthur J. Dool
- William C. Patten, Jr.
- John D. Little
- Doreen Conover
- Robert J. Hannon
- Robert J. Smith
- Morris Jones
- Albert S. Cameron
- Maria Hulsey, Jr.

The officers, directors and members of the Board of Directors of the National Association of Broadcasters of New York State, Inc. (NAB) are:

- George Wilson Crowl
- Nelson G. Lavigne
- Robert J. Hannon
- Robert J. Smith
- Morris Jones
- Albert S. Cameron
- Maria Hulsey, Jr.

A copy of this report is available for inspection at the Radio Station WADO, 1200 W. 4th St., New York, N.Y.

THE NEW YORK TIMES

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ONE FLEW THE COCKNEY

MEAN SILENCE

TAXI

BADLANDS

TAXI

THE BROWNE

THE SARA FELL FINE WITH THE

ONE FLEW THE COCKNEY

MEAN SILENCE

TAXI

BADLANDS

TAXI

Dance

anchines Herald Ballet Spring

NINA KISSELGOFF New York City Ballet its spring season at York State Theater day night with a re-George Balanchine's "ambula," as well as "Brahms-erg Quartet."

gaku." Mr. Balanchine explicit about al connotations of female relationships in the other ballets, is very different from ral.

performance, Kay Hered a sweetly geisha, clearly the outline of the Jean-Pierre Bond a new superb his dancing that (extremely stream-ber more classical

Schoenberg Quar-company ballet but arly one of Mr.'s masterpieces, al- construction is mirable. Each of vements offers a totif at some point ts, and here one ight out Patricia nd Nolan T'Sani's ay at perfume-ad a in the second

third movement, eary and Adam owed tremendous ot over their de-roles in Novem- year's formidable was now comple- a vivid presence, uders, sleek as a was impressive in ic partnering and, us solo.

useful," which iewed at length as notable non- Suzanne Farrell's e Sleepwalker of for the vulnera- stery that Victor e to his debut as

in of Affection April 28 (UPI)— Court of Appeals hat alienation-of- s are incompatible standards of so- therefore should The six-member he ruling in over- rior court verdict mages to a man, led, another man away from him.

US? AD NEWS eads?

ation authorize nominating con- women hold p- mes before the

ident Truman de- mic bomb dropped

LAST 4 DAYS RAW UNTRY

LAST 4 DAYS THE LIGHT FROM THE 2nd STORY WINDOW

May 2, in

Walter Reade Theatres TAKING OFF 12, 2, 4, 6, 8, 10 THE RIVER NIGER 12, 2, 4, 6, 8, 10 THE SAILOR WHO FELL FROM GRACE WITH THE SEA 12, 2, 4, 6, 8, 10

ONE FLEW OVER THE CUCKOO'S NEST 12, 2, 4, 6, 8, 10, 10:30, 11:30, 1:30, 3:30, 5:30, 7:30, 9:30, 11:30

MEAN STREETS 12, 2, 4, 6, 8, 10

TAXI DRIVER 2, 4, 6, 8, 10

BADLANDS 1, 4, 6, 8, 10

TAXI DRIVER 12, 2, 4, 6, 8, 10

TOMORROW The D. W. Griffith is privileged to present for a Special Limited Engagement, the highlight of the New York Film Festival in its American Premiere. "LACHENNE: Jean Renoir's classic can be recommended without reservation! Splendid!"

Legacy a film by Karen Arthur Starring Ann Hickey

"A TERRIFIC MOVIE" STAY HUNGRY Limited Artists

"I defy you to imagine it until you see it." BAMBINA

"POWERFUL. AN ATMOSPHERIC TRIUMPH... ROMANTIC AND EROTIC." THE PORNET

WALT DISNEY'S FANTASIA AND WALT DISNEY'S ALICE IN WONDERLAND

CINEMA I CINEMA II

SNEAK PREVIEW Tomorrow at 9PM SUTTON THEATRE A New Film by ROBERT ALTMAN BUFFALO BILL AND THE INDIANS OR SITTING BULLS HISTORY LESSON

"An absolutely breathless entertainment." REDFORD/HOFFMAN "ALL THE PRESIDENT'S MEN"

RADIO CITY MUSIC HALL THE GREAT EASTER SHOW Robin and Marian

Lipstick It isn't always an invitation to a kiss.

FROM THE CREATORS AND STARS OF "TAXI DRIVER" MEAN STREETS

FROM MILY FORDMAN THE AMILY FORWARD WINNER "TAKING OFF"

"AN EXHILARATING THRILLER." Alfred Hitchcock's FAMILY PLOT starring KAREN BLACK, BRUCE DERN, BARBARA HARRIS, WILLIAM DEVANE

For the first time in 42 years, ONE film sweeps ALL the MAJOR ACADEMY AWARDS JACK NICHOLSON ONE FLEW OVER THE CUCKOO'S NEST

VINCENT CANBY "Moving and funny." PAT COLLINS "There's no better movie to amuse and delight."

MARCELLO MASTROIANNI Salut L'Artiste

"MAGNIFICENT!" INGMAR BERGMAN'S "FACE TO FACE" LIV ULLMANN

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# Ingmar Bergman to Make 2 U.S. Films

By ROBERT LINDSEY

Special to The New York Times  
LOS ANGELES, April 28—Ingmar Bergman, the Swedish film director, said today that he planned to make at least two films in the United States and that he would like to direct on Broadway and possibly on American television.

Meeting with reporters for the first time since he left Sweden in a dispute over his income taxes, Mr. Bergman said that he had received offers to work on Broadway. "I'd like to direct a play where I have my conditions—that is of importance. In Europe we have rehearsals of 10 to 12 weeks; I think the American way of rehearsing four weeks is terrifying. It's interesting but terrifying."



Ingmar Bergman, right, and Dino DeLaurentis, producer, talking in Beverly Hills

So far, Mr. Bergman said, he and his wife had found his "exile" more enjoyable than he had expected.

"Suddenly to make plans, to be free, is wonderful," he said.

Repeatedly, Mr. Bergman said he still loved his native land but considered his decision to leave last week irrevocable, at least as far as he could see into the future now.

"Speaking to a small group of newsmen in Beverly Hills, Mr. Bergman said he and his wife, Countess Ingrid von Rosen, had not decided where they would settle. "We improve a little, from day to day," he said in accented English.

"Honestly, I love my country," he said. "I have my roots there," the 53-year-old

director said, but observed that his conflict over taxes had made it impossible for him to work in Sweden.

"I have said I am a Dr. Jekyll and Mr. Hyde; I hate to go abroad, and I love to go abroad," he told the news conference at the Beverly Wilshire Hotel.

He said he had plans to make two films for Dino DeLaurentis, the Italian producer now working in Hollywood.

The first projected film, "A Serpent's Egg," will be set in 1923 Berlin during the Nazi beer hall putsch in Munich.

The second will be a remake of the Franz Lehár operetta "The Merry Widow."

Following discussions on the two projected films with Mr.

DeLaurentis, who was present and helped occasionally to clarify Mr. Bergman's remarks, the director said he would leave for Paris next week for talks on his new film projects, but might stop off briefly in New York.

Mr. Bergman several times gestured with his arms as if he did not know, when asked, where he would make his permanent home. He said he still considered himself a Swedish citizen and would vote in that country's next elections in absentia.

"My only problem now is I want to go somewhere in July where it is not too hot and is close to the sea. In the summer, I want to write, stroll around, to see the sea."

# Royal Ballet Triumphs in 'Month in Country'

THE ROYAL BALLET, at the Metropolitan Opera House, A MONTH IN THE COUNTRY, Frederick Ashton's music, Chopin, arranged by John Lanchbery. Costumes and sets by Julia Trevelyan Oman. Soloists: Lynn Seymour, Anthony Dowell, Merle Park, Wayne Sleep, Derek Renshaw, Alexander Grant, Wayne Sleep, Denise Nixon, David Dwyer, Peter Archer, Alexander Grant, and Anthony Dowell. (American premiere) Also: William Garsington, Kenneth MacMillan, Mr. Garsington and Anthony Dowell's production, David Wilson, Fred Pizzio and Lou Barantini conductor, Mr. Lanchbery with David Dwyer, Wayne Sleep, Stephen Beagrie, Denise Nixon, Merle Park, Alexander Grant, David Adams, Mrs. Seymour, Monica Mason, Graham Fletcher and others of the Royal Ballet.



Lynn Seymour and Anthony Dowell

By CLIVE BARNES  
George Balanchine once postulated a useful ballet law—namely that "in dances there are no mothers-in-law." What he meant, of course, was that dance lacks the specifics of drama—we see a man and a woman dance together, but are they meant to be friends or lovers, man and wife or brother and sister? Or are they—as Balanchine pertinently put it—a man and his mother-in-law?

In general terms, Balanchine is right. But once in a while a literary ballet of genius comes along that is so perfect, so exquisitely articulated, that rules fall away, and you just gasp at the narrative, the poetry, the evocation of time and place and, yes, even the definition, as it were, of mothers-in-law.

It so happens that there are no mothers-in-law in Sir Frederick Ashton's new ballet, "A Month in the Country," which was given its American premiere by the Royal Ballet at the Metropolitan Opera House on Tuesday night. Yet there are people in a landscape—a landscape of space, period and time. And it is fantastically beautiful. It is a ballet about love, stilled love, broken love, but love of a kind of passionate intensity that is almost unresistible. It flashes, it flickers, it has little to do with love itself, but is the heartbreak of a love suspected, discovered, yet unfulfilled.

young girl and then with the older woman whom he will later love with the dark pungency of nostalgia, show how the classic technique can be perfectly expressive.

Then there is the whole atmosphere of the ballet—it appears to take place on a startled summer afternoon, with events swiftly intercutting like a movie.

The choice of music is perfect. It is Chopin. Chiefly it has been taken from the Variations on Mozart's "La ci darem" from "Figaro," which, interestingly, has its own sexual overtones, but there are other Chopin pieces as well and the entire score has been expertly arranged by John Lanchbery. The set-

tings and costumes by Julia Trevelyan Oman have a specialness that almost runs against the bourgeois nature of the story, but somehow works. The taste has that finite quality of precision that marks out the ballet. And so do the performances.

Lynn Seymour was always going to be a great ballerina who seemed to be leaving the decision dangerously late. She has made it. Her Natalia is pure magic, and there is not a woman in the world who could dance it with quite that mixture of ecstasy, despair and experience. And the special boredom of a Madama Bovary, Anthony Dowell as the Tutor, flashing smile, dazzling

dancing, moments of sincerity lost in a maze of youthful wonderment, is also marvelous. Then, for that matter, so is Denise Nixon as the young girl on the brink of womanhood, or Wayne Sleep as the young boy, or Derek Renshaw as the shocked, understanding lover, or Alexander Grant as the muddled husband. Few ballets are perfect. "A Month in the Country" is one of those few.

We also had the American premiere of Kenneth MacMillan's "Rituals," obscure, even obscurantist and nullifying boring piece of Japanese set, for some presumably inscrutable reason, to Bartok. It was well danced and handsomely designed by Yolanda Sonnabend. The Japanese theater is not to be taken lightly as a tourist trip—Mr. MacMillan should go and have a look at "Pacific Overtures." That may not be right, but it certainly is not pretentious.

This Royal Ballet triple bill opened with Rudolf Nureyev's staging of the Shades scene from Petipa's "La Bayadere." On Tuesday night the leading roles were exultantly given by Merle Park and particularly by Mr. Dowell, who is simply flying nowadays. Yesterday afternoon we had Jennifer Penny and Michael Coleman, who were not so good. Miss Penny is a dancer of a certain indifference, and Mr. Coleman is not dancing in this role with the vigor he once had. He used to do the traditional five double assemblies absolutely perfectly. He now does three with difficulty, and might with advantage adopt the simpler coda that Mr. Nureyev and Mr. Dowell employ.

# GOING OUT Guide

Ashton is an old master. He has slightly restaged the original Turgenev play—much to its advantage, incidentally—and has given the choreography a sort of effortless vitality that disturbs the idyllic mood of love in a cold climate.

It is remarkable how he uses the classical vocabulary as if he were literally dancing. At times he actually seems to make dance talk—and talk so sweetly, with the soft murmurings of English lyric poetry. The story is simple. A Russian country house around the middle of the last century. Summer. Lassiude, Strawberries and meet here in a short season. A husband, Ylaxer, simply very much in love with his wife, a vivacious woman on the verge of matronhood, Natalia, and they have a young son, Kolia.

Natalia owns an admirer, Rakitin, who is not a lover precisely, but a convenient, witty, dependable substitute. There is also Vera, Natalia's ward, a high-spirited young girl. Into this ménage enters a student, Bellaev, who has been brought as a tutor for Kolia. And suddenly the fabric of their world dissolves.

What is so interesting about the ballet is the manner in which Ashton makes every choreographic gesture count. It is quite sentimentally inventive. A dance for a boy boncing a ball and two precisely contrasted love duets, for the tutor with the

ROYAL EARFUL The Duke's music being what it is, "Elliington is Forever" seems an apt title for tonight's musical tributes to the late jazz king on the Gothic premises of the Cathedral of St. John the Divine at Amsterdam Avenue and 111th Street.

The church's program, starting at 7:30 P.M., features an orchestra, conducted by Mercer Ellington, the Duke's son, with Sarah Vaughan, Joe Williams and the Hampton College Choir as guest performers. Proceeds from the tax-deductible program, general admission of \$5 (reserved seats \$10), will go to Curators College, the independent liberal arts school in Liberia. The program, including familiar and sacred works of the composer, will mark the first rendition of the "Liberian Suite" in its entirety since its introduction in 1947 at Carnegie Hall.

QUITE A SITE One of the funniest of all comedies by George S. Kaufman and Moss Hart, though it requires adroit staging, is "George Washington Slept Here." The movie version with Jack Benny and Ann Sheridan was softened with sentimentality, but not the 1940 Broadway original about the city couple who bought a country dwelling.

There was the memorable, bleak expression of Jean Dixon, as the wife, when she first surveyed the rundown premises and her remark a few moments later, "Apparently George Washington never had to go to the bathroom." It also turns out that the first President hadn't roosted upstairs—it was Benedict Arnold.

Starting tonight, the seldom-revived comedy is being performed Thursdays through Saturdays at 8 and Sunday at 3 (no show on May 8) in the Bicentennial series of American revivals by the Playwrights Horizons company at the Queens Theater in the Park, Flushing Meadows. Paul Cooper has directed a cast of 15 players. Admission is \$2.50. Reservations: 699-1860.

CHOICE CUTS There is varied, quality fare in film

revivals over the weekend, with "Gone With the Wind" (1939) on Sunday and Monday at the Elgin Cinema (675-0935). Today, Murnau's "Nosferatu" (1922), the original, classic "Dracula," and "The Last Laugh" (1924), with Emil Jannings, comes to the Elgin Cinema (1941) and "The Power and the Glory" (1933), with Spencer Tracy; Saturday, "A Bill of Divorcement" (1932) and "Holiday" (1938); Sunday, "The King and I" (1956) and "Carousel" (1956), all at the Carnegie Hall Cinema (757-2131). The Monday bill is "The Wild Party" (1929), with Fredric March and Clara Bow, and "Dance, Girl, Dance" (1940), with Lucille Ball and Maureen O'Hara.

Saturday at 2 P.M., free, at the New York Public Library's Jefferson Market Branch in Greenwich Village: "Union Depot" (1932). On Saturday at 8 P.M., the Classic Film Club is showing "Lost Horizon" (1937) in the second-floor Community Room of Columbus Park Towers, 100 West 94th Street; \$1.50 for adults, \$1 for students and the elderly.

For today's Entertainment Events listing, see Page 55. For Sports Today, see Page 46.

## Carnegie Hall

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BEETHOVEN Leonore Overture No. 3, MOZART "Ch'io mi scordi," Miss Arroyo, Mr. Bernstein (piano obbligato) and the Orchestra. BACH Concerto for Two Violins, Messrs. Menuhin and Stern and the Orchestra. SCHUMANN the complete "Dichterliebe," Messrs. Fischer-Dieskau and Horowitz. BRAHMS Piano Quartet in G Minor (last movement), Messrs. Horowitz, Stern, Menuhin and Rostropovich. HANDEL Hallelujah Chorus from "Messiah," the Oratorio Society, the Orchestra and all of the evening's soloists as members of the ensemble.

### TUESDAY MAY 18 AT 8 PM

The Carnegie Hall National Endowment Fund has been established by The Carnegie Hall Society, Inc. (a tax-exempt organization) to assure the future of Carnegie Hall. Its goal is 6.5 million dollars over the next three years, with an immediate objective of 2.5 million by the end of May.

Invitations for Parquet and First Tier Box seats to this Concert-Celebration are being extended to each contributor of \$1,000 or more to the Endowment Fund. For further information call: (212) 586-5096. Please do not call the Box Office.

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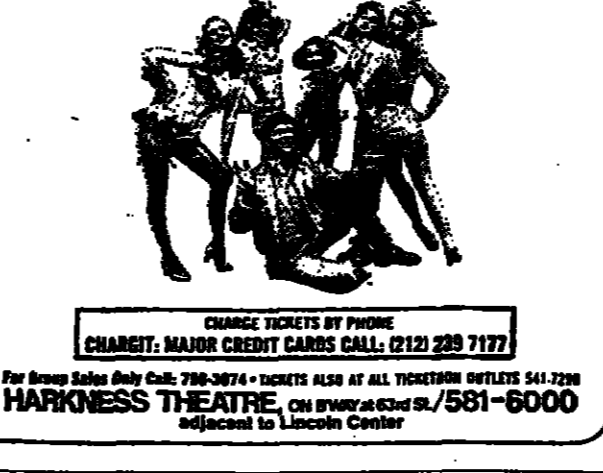
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# Stage: 'Belle of Amherst'

## Julie Harris Portrays Emily Dickinson

By MEL GUSSOW

At 14, Emily Dickinson wrote to a school friend: "I expect I shall be the belle of Amherst when I reach my 17th year. I don't doubt that I shall have perfect crowds of admirers at that age."



Julie Harris in a scene from William Luce's play.

She was not "the Belle of Amherst," the ironic title of the one-woman play that Julie Harris brought to the Longacre Theater last night. Instead, she became, as Miss Harris observes, "Squire Dickinson's half-cracked daughter."

But Emily was not merely an eccentric. She was a great poet who lived an interior life of extreme passion, who never stopped studying nature and man and expounding her emotions in lovely bursts of poetry.

That poetry is all over the stage in William Luce's new play, filtered and intermingled with letters and recreated conversations. The first thing to note about "The Belle of Amherst" is the fact that it gives Miss Harris a chance to fulfill a actress's dream of being a play as well as a character—that it is an act of the imagination, for a very good reason.

Emily Dickinson is the opposite of Mark Twain. Twain was a public performer, and Hal Holbrook is his impersonator. Henry Ford's "Clarence Darrow" the previous one-man show brought to town by the producers of "The Belle of Amherst" and a natural drama; there was material enough for a season of television.

On the other hand, Emily Dickinson was an inmost private person who rarely revealed herself, except in her poetry, and occasionally in a letter. For most of her life she was a virtual recluse, living in a world limited by her father's house (evocatively recreated in E. R. Poindexter's scenery: desk, piano, bed, all floating in an open space) and by her father, a strong-minded puritan.

During her lifetime she published only seven poems, all of them anonymously. After her death, 1,775 poems were discovered in her room in tight little packets. Over the years her reputation has ascended.

Despite numerous biographies, her life remains something of a mystery. Where her romances in her mind—or in fact? As her recent biographer Richard B. Sewall writes, "The whole truth about Emily Dickinson will elude us always; she seems almost willfully to have seen to that."

Rather than present simply a staged reading of her verses, Mr. Luce and Miss Harris together with Charles Nelson Reilly as director have attempted a dramatic interpretation. One can question the interpretation, but the reasons behind it are understandable.

It is the play's view that Miss Dickinson was a self-created; she made her own myth, nurtured her own image. She was a role-player, an actress—an actress such as Julie Harris. Instead of Miss Harris leaping into the skin of Miss Dickinson, the poet became the actress.

This allows the character to mimic her father, teacher and friends. It allows her to lead us backwards and forward through her life, telling us family anecdotes and offering, partially, a portrait of Amherst.

The poet had few visitors. We—as strangers—are welcomed to her house, and she gives us her side of the story. She shows us, for example, what she was thinking when her mentor, Thomas Wentworth Higginson paid his first call. What she thought, we are told, is, "I want to be published!" Perhaps.

At times there is an awkwardness in this posture. There is a bit too much of the bustle around the Dickinson home. Here comes father! Where's his newspaper? Chase away the cat! All this is extraneous, supposedly atmospheric, detail. The effort to make things dramatic shows—and we are distracted.

## The Program

THE BELLE OF AMHERST, a play based on the life of Emily Dickinson by William Luce, directed by Charles Nelson Reilly, comes to the Longacre Theater, 229 West 4th Street, at 8 p.m. Tickets: \$10, \$15, \$20, \$25, \$30, \$35, \$40, \$45, \$50, \$55, \$60, \$65, \$70, \$75, \$80, \$85, \$90, \$95, \$100.

to mimic her father, teacher and friends. It allows her to lead us backwards and forward through her life, telling us family anecdotes and offering, partially, a portrait of Amherst.

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On the other hand, the author and the actress have used the poetry to great advantage. The character leaps into verse when the emotion carries her there. Miss Harris—dressed in "bridal white," her hair neatly parted and tied in a tight bun—speaks the poetry with conviction and urgency. She is at her most moving when she is acting the poetry; she makes us see the enormous passion that went into the art.

At times the poetry merges with character and performance. And when Miss Harris confesses, "The heart wants what it wants, or else it does not care," she weeps. We see the sadness—and the strange fulfillment—of the life, of the stunted love that found release in art. In her life, Miss Dickinson clearly demonstrated her own words, "Renunciation—is a piercing Virtue."

Senate Approves 3 Envoys WASHINGTON, April 28 (Reuters) — The Senate today confirmed Francis E. Meloy, a career diplomat, as the new Ambassador to Lebanon, Frank E. Meester as Ambassador to Kuwait and Thomas R. Byrne as Ambassador to Czechoslovakia.

# Concert

## Steinberg Takes Leave With Berlioz 'Romeo'

By DONAL HENAHAN

William Steinberg's final New York concert as music director of the Pittsburgh Symphony Orchestra, which he has headed since 1952, made for a sentimental leaving-taking last night at Carnegie Hall. The 76-year-old conductor, who has resigned his post to become Pittsburgh's music director emeritus, effective this fall, chose a grand-style farewell: Berlioz's "Romeo and Juliet" in one of that master's work's rarely heard complete performances.

There has long been an argument among Berlioz enthusiasts about this piece. The composer subtitled it a "dramatic symphony," and the score is laid out in four clearly defined movements. Some conductors, however, ignore that idea and approach "Romeo" as if it were a series of loosely connected numbers or perhaps a quasi-opera of the sort Berlioz wrote in "The Damnation of Faust." Mr. Steinberg evidently is of the school that sees little merit in the symphonic argument, judging from this rather loosely knit reading.

The first half of the concert, in fact, stumbled along without much tension or feeling of propulsion. Mr. Steinberg's version broke for intermission after the Queen Mab Scherzo, which in the score is placed at the beginning of Part Four, obviously to tailor the work to a conventional concert format. But such tinkering would be easy to overlook in a genuinely vital and poetically evocative performance. Instead, Mr. Steinberg had Queen Mab chugging along at a pace well below the metronome marking suggested in the score, and most of the heavily anticipated moments of the score were simply given a similarly dry and perfunctory statement.

Mr. Steinberg, whose illness of several years ago seems to have left him seriously enervated, gave less than their due to the lightfooted and brilliant portions of "Romeo." But his renowned solidity and authority asserted themselves in the more deliberate pages, such as the "Romeo Alone." Even here, however, more

# Ambassador Who Plays the Piano Uses Music for Diplomacy

By LINDA CHARLTON

WASHINGTON, April 28—Adrian Meisch, 46, who would probably be the first to admit, is a lucky man. Next to diplomacy, he loves music—and as Ambassador from Luxembourg he will serve as a kind of musical biculturalist, a gift from his country to the United States. This fall he will accompany a Luxembourg baritone in a series of recitals around the country.

The Ambassador, a smiling, neatly plump man of 46, continues his tiny country's entire representation here, although, he said in an interview, "I was promised by my Prime Minister that he will send me a counselor" to help out.

He is also Luxembourg's envoy to Mexico and Canada, and is president until July of the group of nine Common Market country ambassadors here, so there is not too much time for playing the piano, which he does with love and skill.

Still, a gleaming black Bösendorfer grand, with the piano part of a Brahms quintet on its music rack, occupies pride of place in the drawing room of the chancery on Massachusetts Avenue.

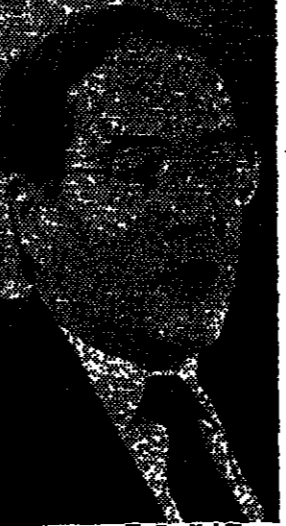
The Bösendorfer, a little-known make of piano in the United States but one that Mr. Meisch said was better than Steinway for chamber music because it is "more refined" in its tone, was picked out for Mr. Meisch in Vienna two years ago by Sviatoslav Richter, the Russian virtuoso. But, in Mr. Meisch's home in northwest Washington, 10 minutes away from the Embassy, there is a Steinway concert grand.

Mr. Meisch has found that music and diplomacy not only mix but also often enhance each other. In the Soviet Union, where he spent four years as Ambassador before coming to Washington in November 1974, he played with the late violinist David Oistrakh, with Mstislav Rostropovich, the cellist, with the Chamber Orchestra of Moscow and with other top-flight Soviet artists, often at concerts in the Embassy but sometimes on the concert stage.

"In Moscow," he recalled, "I invited first-rate young artists who were not allowed to travel because they were Jews or dissidents, in order to give them an opportunity to be heard." As a result, he said, "quite a few" got invitations to play abroad and some, under foreign pressure, were eventually allowed to go on tour overseas. "Sometimes you can do things as an Ambassador," Mr. Meisch said quietly.

In the fall, Mr. Meisch will set out on his contribution to the Bicentennial (Luxembourg is also presenting a modern sculpture by Vercoiler, a Luxembourg sculptor, to the Kennedy Center for the Performing Arts. Mr. Meisch will accompany Fernand Kofler, the best artist in Luxembourg, in a series of concerts.

Mr. Meisch plays about three hours starting with an alarm home from 8 A.M. His wife, Solange, met during his year studying law at home, is a former with the Marquis de company.



Adrian Meisch

Adrian Meisch, Luxembourg's ambassador to the United States, is seen here in his chancery on Massachusetts Avenue.

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# Film: 'Merry Go Round'

By VINCENT CANBY

"Merry Go Round," which opened at three theaters in Manhattan yesterday, is a German screen version of Arthur Schnitzler's satiric sex-comedy, "Reigen," written in 1902 and filmed at least twice before, by Max Ophüls with great style in 1950 ("La Ronde") and by Roger Vadim with Jane Fonda in 1964 ("Circle of Love").

The version, directed by Otto Schenk, has a rather good cast playing the daisy chain of lovers in a lustful, though not very lusty Vienna at the turn of the century. Whatever virtues the film may once have possessed are obscured by one of the tackiest English dubbing jobs I've heard since Roger Cornman and Max Youngstein gave us the once-Japanese "Tidal Wave." The characters never seem to be speaking their lines but responding to heavenly voices, those of one man and one woman, who sound as if they had dubbed all of the voices, but I may be wrong.

Even with a decent soundtrack, though, Schnitzler's caustic wit would probably have been lost in the style that Mr. Schenk has chosen to film his adaptation. The emphasis throughout is on the barrier to sexual intercourse provided not by society but by things like corsets, petticoats and button shoes, which is not, I think, what concerned Schnitzler most.

Sydne Rome and Maria Schneider are among those cast members who are not disappointed by their association with the enterprise, only wasted.

# Reid Is Resigning as Governor's Environmental Chief

Continued From Page 1, Col. 2 staff said Mr. Reid was not regarded as a "team player." They also said there were questions about Mr. Reid's loyalty to the Governor in the way he had handled environmental issues, most notably the one involving General Electric's discharge of PCB's—polychlorinated biphenyls—into the Hudson River.

In that instance, Mr. Reid warned the public not to eat Hudson River fish, then closed the river to commercial fishing. He also called an administrative hearing at which General Electric was found to have violated the state's water quality standards. The hearing is continuing in Albany in an effort to determine if the company should be required to pay to restore the river.

Hearings Supported Publicly, the Governor has supported continuing the hearings, although last Feb. 3 he named a group of water quality leaders in Albany that "it will do little good if we rescind our environment at the cost of our economy."

"Anyone who doesn't agree with that principle won't be working in this government," Mr. Carvey said. Privately, the Governor was reported to be eager to settle the General Electric question without long litigation.

General Electric agreed to pay at least \$2 million for an out-of-court settlement but wanted the money construed as a research grant, not a penalty. Moreover, the company asked the state to sign a stipulation that G.E. not be required to make "restoration, reclamation or other like remedy" because of the discharge of PCB's. Mr. Reid refused to accept those terms and said last week

and he had no intention of "selling out" to General Electric. The Governor's office said nothing for the record. However, it is believed that the administration felt this was another example of Mr. Reid's predisposition to go his own way on important issues without sufficient regard for the Governor's mission, as seen by the Governor, to take vigorous steps to preclude the state's alienating or losing industry.

"We must stand firm against irreparable damage from toxic substances if we are not to let loose a genie that will seriously endanger the public health of ourselves and generations yet to come," Mr. Reid said yesterday, reviewing his own feelings on the G.E. case.

Mr. Reid's supporters praised his grasp of major issues, but his critics deplored the way he tended to ignore the bureaucracy.

Some environmentalists who support Mr. Reid's stands on many issues are known, nevertheless, not to be upset at the prospect of his resignation. They have said privately that they were disturbed over moral problems in the department, which they felt were hampering its effectiveness.

Because of personal as well as professional differences, three of his top aides recently resigned, and both in and out of the department there were fears that others would leave, if Mr. Reid remained. Complicating the situation was Mr. Reid's appointing an inspector general, Lawrence Finnegan, to check into reports of improprieties involving department personnel. Some employees feel this tends to reflect badly on them.

major environmental protection bills. "Such advances and accomplishments... have not been achieved without some disagreement and some strain, both from within and from without our department," he wrote. "As you know, the internal administrative problems of the department which predate your administration, are well on the way to being resolved and key personnel changes have been made that should render the department stronger and more cohesive in meeting future demands."

"I anticipate, however, that my successor will need your strong and continuing support in order to carry these reforms to a successful conclusion."

The Governor's office is reported to be considering several candidates to succeed Mr. Reid, among whom is Peter A. Berle, former Assemblyman from the East Side of Manhattan, and a prominent environmental lawyer. Mr. Berle is believed to have considerable support, from within the governor's office and from environmental groups. He was reported amenable to considering the

The New York City Transit Authority invites the public to attend a Public Hearing on Monday, May 17, 1976 in relation to the request of New York City and the NYC Transit Authority for \$18,144 million in federal funds pursuant to the Federal Aid Highway Act of 1973, as amended, to assist in funding:

Various Projects for Rapid Transit Improvements to the New York City Transit System for Federal Fiscal Year 1975-76.

The hearing will be held in the Bowman Room of the Biltmore Hotel, Madison Avenue and 43rd Street, Manhattan at 4:30 p.m. The hearing will recess at 6:30 p.m. and reconvene at 7:30 p.m. for the convenience of those who wish to be heard in the evening.

For information call (212) 330-3140.

For details see legal notice appearing elsewhere in today's issue of this newspaper.



# What was the aim of the Open Door Policy of 1900?

Could you answer this American history question? More than 1,800 college freshmen recently took The New York Times American History Knowledge and Attitude Survey.

How much do college freshmen know about our nation's history? And how much do you know?

Three-part series starts Sunday, May 2, in The New York Times

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### LA. DEFENDED IN LEGISLATURE

#### to Repeal Endorsement Amendment Is Rejected Assembly Committee

By IVER PETERSON  
Special to The New York Times  
SANY, April 28—The State Assembly's Judiciary Committee rejected a move to repeal the legislature's earlier ratification of the Equal Rights Amendment to the United States Constitution.

The committee's 13-to-6 vote on the bill rescinding the state's 1972 endorsement of the amendment appeared to measure for the current legislative session, which is expected to end in early June. New York was regarded as a state in the nationwide struggle of the amendment, whose ratification of the amendment, which has already been achieved by Nebraska and Nevada.

The legality of such a rescission is in doubt, however. Some courts have yet to determine whether a state may rescind an earlier endorsement of a constitutional amendment.

Following the Assembly's action that it is doubtful that the Senate's Judiciary panel would take up this year. Although the Judiciary committee could rescind its vote before the session, such a move is doubtful today, in view of the legislators' gathering adjourn.

To rescind approval of the amendment would require a majority of the voters in the next general election, a measure that the State Constitution requires. Today, spokesmen for the Operation Wakeup, an anti-amendment group, said it would continue to press for the amendment.

The vote in the Assembly to rescind the amendment was 15 to 4. The measure was sponsored by Assemblyman Andrew W. Ryan, of Flatbush.

The Assembly did not meet in the Senate and the corners of the state capitol, there were these events.

#### ESTATE TAX

The Senate unanimously postponed for one month until June 1, the effect of New York City's local estate tax, which otherwise takes effect on July 1.

The Assembly is expected to follow suit. The tax was last fall as part of a revenue package for the city, but has since drawn intense disfavor.

The measure has agreed with the city, but since the expected revenues were part of his budget for 1976, and he is insisting on a substitute source of funds first.

#### DRUNKEN DRIVING

The state also passed a bill that imposes penalties for drunk driving. The measure increases first-offense penalties for a misdemeanor to a traffic violation, retains the second offense as a misdemeanor, and the third offense as a felony, with minimum jail sentences to be imposed.

The bill was vetoed by Governor Rockefeller for technical reasons. The measure's sponsor, Assemblyman Caemerer, a Nassau County Republican, said he had been told the bill would pass.

#### TAX AUDIT

Tax Commissioner John J. Egan, in a statement, said that many of the practices criticized in a state audit on tax collection have been corrected. The audit was released last week, and that the dates of the audit covered a period that ended before he was appointed.

#### LESBIAN RIGHTS

Assemblywoman Mary Anne Krupar, in a statement to participate in the Lesbian Rights Day celebration today, said that the state should not discriminate on the basis of sexual preference more than on any other basis.

#### MANHATTAN HEIGHTS GETS INFORMATION CENTER

The Metropolitan Transportation Authority will open its Manhattan Heights Information Center today.

The center, located in the Washington Wood-Marble Hill Office Building, it will have maps of the Manhattan Heights and the subway routes. The center will be available to the public as brochures on the bus routes and the Manhattan "shoppers" bus routes.

Transit information centers are to be located at 621 86th Street, Brooklyn; 68-18 Avenue, Woodside; and 4101 White Plains Road, Bronx.

Additional centers are to be located in Nassau and Westchester counties and on Staten Island.

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# Introducing Weekend

The definitive guide to where to eat, whom to see, where to go and what to do in New York, New Jersey, Connecticut and Long Island.

For the two and a half best days of the week, Friday night, Saturday and Sunday, The New York Times announces the first truly timely and complete guide. It's Weekend, a special section all its own. You can pull it out on Friday. Save it for Saturday. Refer to it on Sunday. And never, never have to be bored or worried about what to do ever again.

What makes Weekend so complete and indispensable?

**GOING OUT...** Dick Shepard's thrown himself into an enormous new entertainment guide for the city and suburbs. **BROADWAY...** John Cory's come up with a gossipy column on the plays... and the people. **TRISTATE MOVIE CLOCK...** 400 theaters; more complete than any newspaper movie clock in town. Dick Eder follows with a new column about the movies. **TV...** John O'Connor is your guide to the best weekend shows in your living room. **NEIGHBORHOODS...** A new and

fascinating walking tour each week, with where to shop, where to dine, what to do, and what to see. **ARTISTS...** Grace Glueck writes a new column on the art people in our town. **RESTAURANTS...** John Canaday stars his favorites. **ANTIQUES...** Rita Reif tells you where the treasures lie.

Plus news and notes on **DANCE, DRAMA, OPERA, ART, GARDENS, GALLERIES, MUSEUMS, NIGHT SPOTS, RECORDS, RECITALS, REVIEWS AND "POP LIFE," AND THE CROSSWORD PUZZLE, of course.**



You see...  
we don't have to  
go bowling.

## Every Friday in The New York Times

G.E. Act

Company's Role in Program Start

at Annual Meet

REGINALD S...

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See, where to go... I see... don't have to... I see... don't have to... I see... don't have to...

T UNITS HELD RECAPITALIZED

Bank Chief Warns State Profits Have Safety Problem

Y IS POINTED UP

Value of Common Owned by Savings Called Reason

EVEN RATTNER

Heimann, the New Superintendent of med yesterday that profits in recent left a large number banks in the state dercapitalized.

nd of 1975, Mr. Heimann said the Savings Bank of New York State Albany yesterday, thirds of all savings new York were not in safety.

ann attributed the ase in poorly capia to a decline in the common stocks held ks and noted that ery of the stock ar December 1975 s these numbers hat better than they ar-end."

ent is Stirred rintendent's speech jury of comments ted a clarifying om Leonard Lapi st deputy superin

intendent is con- the capital position gs banks, but he aracterize the sav- lustry in New York eing in an unsafe r. Lapidus said,

that an increse profit would be achieve, Mr. Hei- sed allowed the s institutions to ed stock in a form ermit the principal s equity and the ductible expense.

ann said that the ks' capital ratios elining since 1952 a result of a nar- e spread between id on assets and and of the low s from stock in-

development, Mr. osed that on May ding Department in final form, its uring banks with s than \$50 million or the first time c location of their

is an attempt to extent of "red- leged practice by will not make s within low-in-

or Lands Sound

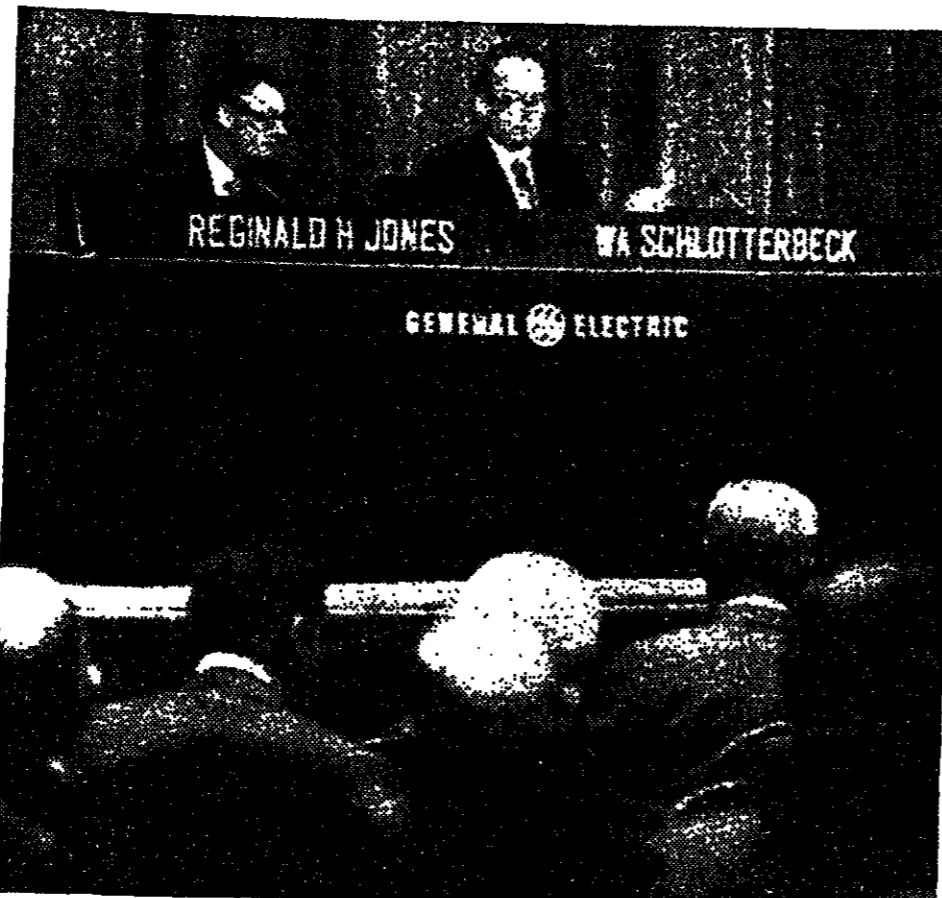
L. DALE Jr. New York Times GS, Va., April 28 s banks engaged al operations said e overwhelming less-developed age 61, Column 1

YORK NOTES

OT MAC IDS? for inion. (212)233-3433 iton & Co. Securities GREEN PLACE EAST ORANGE, N.J. 07018

gold at National Bank of New York.

Bank of New York, 61 and 18 other nhattan, Brook- Long Island, For 12-695-7810.



Reginald H. Jones, left, chairman of General Electric, with Walter A. Schlotterbeck, corporate counsel, before the annual meeting began yesterday in Kansas City, Mo.

G.E. Acknowledges Overseas Payments

Company's Role in B-1 Program Stirs Debate at Annual Meeting

By REGINALD STUART Special to The New York Times

KANSAS CITY, Mo., April 28—The General Electric Company, a major defense contractor and the nation's leading maker of electrical products, acknowledged today that pay-



Willis S. White Jr., new chairman of American Electric Power, addressing shareholders at the Plaza yesterday.

ments of a questionable nature had been made abroad by employees. But it said that the amounts involved were not substantial.

The disclosure by G.E.'s chairman, Reginald H. Jones, was made at the company's annual shareholders' meeting, at which a mild debate developed over the company's involvement in the Government's controversial, multibillion-dollar B-1 bomber program.

Regarding the payments, Mr. Jones declined to give any specific details about the practices abroad, saying that they would be set forth in a proxy statement being sent to G.E. shareholders proposing a merger, for approximately \$1.9 billion in G.E. stock, with Utah International Inc., a California-based mining company.

"On the basis of our findings, I can report to you that, where any deviations from company policies and codes have occurred, they have not been found to be material in the context of the company's business," Mr. Jones said. "Information being developed in these recent compliance reviews will be handled in accordance with the Voluntary Disclosure Program of the Securities and Exchange Commission," he added.

Mr. Jones, who said the subject of questionable payments will continue to receive close scrutiny by management,

made his statements in response to a question from Edward C. Calvert, a shareholder from Willowick, Ohio.

Today's meeting, held in suburban Kansas City, attracted about 350 G.E. shareholders and pickets questioning the company's involvement in the Government's defense programs and its nuclear power programs as there were at last year's annual meeting in Boston.

Mr. Jones was occasionally applauded when he referred to the importance of the nation's defense capabilities and the role G.E. could play in sustaining them.

At one point during the debate between shareholders and management over G.E.'s involvement in the B-1 bomber program, Mr. Jones interrupted a shareholder and said:

"I don't think we should be engaged in this kind of discussion at the shareholder's meeting," he advised those with questions to see their elected representatives in Washington.

Two shareholder proposals calling for disclosure of G.E. involvement in the B-1 program and for a G.E. statement on the environmental impact of the program were defeated by votes of 97 percent of the shareholders voting.

Citing improved first-quarter earnings over last year's like period, Mr. Jones said that the second quarter also looked promising, but emphasized that the improvement would be compared with a period in

Continued on Page 69, Column 1

Thomson Set to Buy I.T.T.'s French Unit

By HERBERT KOSHEITZ

The Thomson-CSF Group, a large electrical manufacturer, announced in Paris yesterday that it had concluded an agreement with the International Telephone and Telegraph Corporation for the acquisition of controlling interest in I.T.T.'s French subsidiary Le Matériel Téléphonique, for \$193 million in cash.

Under the agreement, Thomson officials said the company would buy I.T.T.'s 68 percent controlling stock interest in the French company at the current stock exchange value of \$378 a share. Thomson will also offer to acquire the remaining 32 percent interest held publicly.

Thomson announced also that it would take over I.T.T.'s 40 percent interest in Le Matériel subsidiary, Lignes Télégraphiques, a French cable producer. Thomson is also negotiating with the Empain Belgian Financial and Industrial Group.

Continued on Page 60, Column 2

S.E.C. MAY DROP SHORT-SALE RULE

Experimental Plan Would Show Agency Effect of Ending Regulation

By ROBERT D. HERSHEY JR. Special to The New York Times

WASHINGTON, April 28—The Securities and Exchange Commission announced today that it was considering elimination of its short-sale rules, designed to prevent exaggerated declines in stock prices.

These rules, written in the 1930's to prevent manipulative practices to drive down prices, generally prohibit the sale of borrowed stock at a price lower than the preceding transaction. The S.E.C. had hinted that the short-sale rules might no longer be necessary. The rules have attracted increasing criticism in recent years in university studies and from securities professionals.

Today the commission formally set forth its doubts that current regulation of short sales remains necessary to protect investors and the market as a whole "in view of the improved reporting of transactions in listed securities and the development of more sophisticated techniques for market surveillance."

A short sale is one in which the seller hopes to profit from a decline in the price of a security. A practitioner borrows shares, sells them in the market and leaves the proceeds with a broker. If the price falls, the short-seller buys the stock, pays for the loan of the shares and pockets the difference in price as profit.

The technique is usually considered speculative since there is no theoretical limit to losses should the price rise. A security owner, long, by contrast, can only fall to zero.

Short sales, however, are frequently used to hedge positions and may be part of a conservative investment strategy.

About 8 percent of the transactions on the New York Stock Exchange in 1974 were short sales. The level is somewhat higher on regional exchanges.

The commission said it was formulating an experimental program in which short-sale regulation would be substantially suspended to find out what would happen without it. An S.E.C. official said such a proposal, on which public comment would be invited, might be ready for circulation within the next week.

One of the developments triggering today's announcement was the installation of the consolidated ticker tape reporting transactions in several markets around the country.

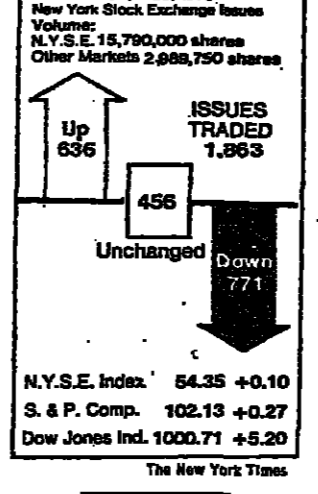
This raised a question as to whether the transactions on any particular market should be used for deciding whether short sales on other markets might be destabilizing.

The commission today withdrew two amendments that appeared contrary to the intent of the short-sale rules—assuming they served a useful purpose—since they tended to undermine the so-called "tick test" and also had the undesirable effect of allocating short sales to certain markets, mainly those outside New York.

"We cannot make further rational progress on this issue without some form of experiment of limited elimination," an S.E.C. official declared.

Tick-tests are the means used to determine whether short sales conform to the rules. Since 1938 the commission has barred any short sale at a price lower than the last different price for a security.

Market Profile



STOCKS MOVE UP IN QUIET SESSION

Advance in Final Half-Hour Raises Dow to 1,000.71 After an Early Decline

By DOUGLAS W. CRAY

An upturn in the final half-hour of quiet trading yesterday again lifted the Dow Jones average of 30 industrial stocks above the 1,000 level.

The closing advance, led by selected blue chip issues, followed a day of mostly listless turnover and mostly lower prices. The Dow industrial average closed at 1,000.71, up 5.20 points.

Contributing to the early downturn was a Government report that the leading economic indicators were off 0.4 percent last month. This was its first decline since last October.

Setback Follows Report The early morning Government report, on the heels of Tuesday's lower market closing, was reflected in the 5.98 point setback in the Dow industrial average in the first half-hour of trading. At the end of the first hour 4.1 million shares had changed hands and the Dow industrial average was off 4.01 points to 991.50.

Thereafter prices began a slow improvement. Overall, however, the list wound up with more losers than winners.

Turnover picked up in the final hour, to 3.3 million shares, and for the day it totaled 15.78 million shares, compared with 17.76 million traded Tuesday.

Nationally, trading in all

Continued on Page 61, Column 4

Treasury to Reduce Borrowings in 1976

U.S. Spending Is Below Expectations as Higher Tax Receipts Are Indicated

By EDWARD COWAN Special to The New York Times

WASHINGTON, April 28—The Treasury said today that Government spending was running below expected levels and consequently Treasury borrowing in the first half of 1976 would be about \$4 billion to \$5 billion less than expected.

The implication drawn from the Treasury announcement was that the budget deficit for 30, would be less than the \$76.9 billion revised estimate of March 25. Strengthening that expectation were informal indications that Treasury tax receipts have been running above predicted levels because of the strong upswing in the economy in recent months.

James T. Lynn, the Budget Director, said in response to an inquiry that spending for the fiscal year appeared to be running about \$2 billion below the March 25 estimate of \$374.4 billion. He said that this was a small difference, within the range of estimating error and that it was too soon to publish a revised estimate of receipts or the overall budget deficits.

Another budget official said that spending was down by almost \$1 billion for military purposes and by roughly \$700 million in financing of farm housing. The latter change was said to result from changes in mortgage repayments and other financial flows, not from curtailment of Farm Home Administration programs.

The disclosure came as the Treasury listed three securities it will offer in the coming days to refund \$4 billion of notes maturing May 15 and to raise an additional \$2.25 billion of cash. The new offerings were:

\$2 billion of two-year notes to be sold at yield auction on May 4.

\$5.5 billion of 10-year notes, the first use of authority granted by Congress last month to stretch the maximum maturity of notes to 10 years. They will carry a coupon of 7 1/2 percent and be priced at par. The Treasury's subscription books will be open through May 5.

An additional \$750 million of the outstanding 7 1/2 percent bonds of 1955-2000. They will be auctioned on May 7 with bidding by price.

The 10-year notes and the long bonds will be offered in

Continued on Page 62, Column 4

LONG-TERM BONDS ADVANCE IN PRICE

Investors Take Treasury's Refinancing Approach as Beneficial to Markets

By JOHN H. ALLAN

The credit markets again moved carefully toward higher prices and lower interest rates yesterday. The Treasury's refinancing plans, disclosed late in the afternoon, failed to produce any dramatic market reaction.

The Treasury decided to sell \$750 million of long term bonds, an amount below the \$1 billion or more that had been expected in Wall Street, so long-term bond prices advanced after the news was issued.

The Government's estimate that total borrowing in the first half of 1976 would now be likely to total \$31 billion to \$35 billion—an amount well below the \$35 billion to \$40 billion estimated last January—was viewed as beneficial for the credit markets. The lower volume of borrowing has already been taken into account, however, bond dealers suggested.

After the Treasury said it would sell three issues, short-term and intermediate-maturity Government securities traded at prices unchanged from their pre-announcement levels. Long term bonds rose slightly in price.

The three issues, plus the Treasury's normal bill sale on Monday, will put the Government in the next issue market every day next week except Thursday.

On Monday it will sell \$6.2 billion of bills. On Tuesday it

Continued on Page 62, Column 4

Batten the Key to Needham Shift

By ROBERT J. COLE

After months of courtship, the willingness of William M. Batten to take the post of New York Stock Exchange chairman became the deciding factor in the abrupt resignation of James J. Needham, Wall Street sources disclosed yesterday.

Mr. Batten, the retired chairman of the J. C. Penney Company and a director of the exchange, had been offered the job several months ago but refused.

Directors of the exchange persisted, however, and, according to industry executives familiar with the situation, Mr. Batten finally agreed in a meeting held Friday night to accept the position.

AS placed together from a number of sources, this is what happened: Mr. Batten was invited on

Friday evening to the offices of Morgan Stanley & Company, an investment banking firm, to discuss his interest in taking on the job of Big Board chairman.

Robert H. Baldwin, president of Morgan Stanley, attended, along with James M. Roche, retired chairman of the General Motors Corporation; John J. Phelan Jr., vice chairman of the stock exchange; Donald B. Marron, president of the brokerage firm of Mitchell, Hutchins Inc., and Karl R. Bendetsen, former chairman of the Champion International Corporation.

Gustave L. Levy, senior partner of the investment banking house of Goldman, Sachs & Company, was out of the country but is understood to have been in constant touch with the negotiations.

"Before the evening ended, Batten had said he'd take the job if it were offered to him," a key figure said.

By Sunday directors met again at the River Club on East 52d. By Monday afternoon all but one or two of the exchange's 20-member board met again at Morgan Stanley and voted unanimously to offer the post to Mr. Batten. Later, in another office uptown, Mr.

Lufkin Joins Sellers Of Brokerage Stock

By RICHARD PHALON

Dan W. Lufkin, chairman of the executive committee of Donaldson, Lufkin & Jenrette, and five other officers and directors of the financial services organization have joined the long list of other insiders selling brokerage firm stocks.

Most such stocks have had sizable price run-ups in the last several months, thanks to the combination of rising stock prices generally and a big upsurge in trading volume.

Both those factors are making a major contribution to the commissions income that weighs heavily in the profitability of most brokerage firms.

Donaldson, Lufkin has risen from a low of 1 1/2 percent last year to a high of 6 1/2 percent this year. Insider figures released by the New York Stock Exchange yesterday show that Mr. Lufkin, who helped found the firm in 1959, sold a total of 73,900 shares in February and March. The report, which covers only

Needham met with four directors—Mr. Levy, Mr. Phelan, Mr. Bendetsen and Mr. Roche—where he was told the outcome.

It was at that point, several participants said, that Mr. Needham "volunteered to resign." He will be retained by the exchange as a consultant until his contract ends in February 1978.

The new chairman, who will assume the post on May 19 moved into a small, temporary office around the corner from Mr. Needham's plush quarters on the exchange's sixth floor.

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Composite Economy Index Fell by 0.4% During March

WASHINGTON, April 28 (AP)

The Government said today that its composite index of leading indicators declined in March for the first time in five months.

The Commerce Department said the index dropped by four-tenths of a percent last month. It was the first decline since a five-tenths percent drop in October and followed a seven-tenths of a percent increase in February.

The significance of the March decrease was not immediately clear since economists generally consider that it takes three

Contracts for future construction rose 42 percent to \$2.9 billion in March, the F. W. Dodge division of the McGraw Hill Information Systems Company reported yesterday. Page 68.

months of successive increases or declines to signal a turnaround in the economy.

For example, the economy continued growing late last year despite no change in the index during September and the drop in October.

The March report comes in the midst of other economic indicators showing that total output of goods and services advanced at a relatively rapid 7.5 percent annual rate over the first three months of this year, that inflation is still inching along at an annual rate of less than 3 percent and that employment is increasing while joblessness declines.

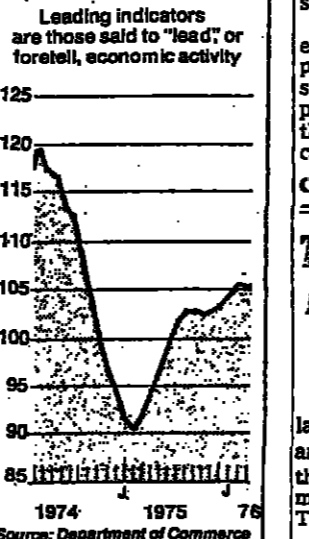
A slower growth rate and more rapid inflation in the months ahead, however, would be in line with what most economists expect.

The Commerce Department

said the major influence on the leading indicators' performance was a slower growth in liquid assets held by consumers and business. Liquid assets are cash or forms of investment that can be converted rapidly into cash. They grew by six-tenths of a percent in March compared with seven-tenths of a percent in February.

Other factors influencing the index's decline were a shorter work week and the first increase in the layoff rate in manufacturing in six months. A slower rate of increase for key wholesale prices, a smaller volume of contracts and orders for factories and facilities and a slower formation of new businesses also helped push the index down.

Source: Department of Commerce



The New York Times/April 29, 1976

Profits Scoreboard

(Some of Major Corporations Reporting Yesterday)

Table with columns: CORPORATION, JAN. MARCH EARNINGS 1976, PERCENT CHANGE FROM 1975. Includes American Broadcasting, Anheuser-Busch, Colgate-Palmolive, General Motors, National Steel, Standard Oil of Calif.

\*1975 earnings restated

The New York Times/April 29, 1976

Anheuser-Busch Earnings Decline 44% During Strike

By CLARE M. RECKERT

Anheuser-Busch Inc., the nation's largest brewer, reported yesterday a 44 percent drop in first-quarter earnings. It said the decline was caused by a strike, which began March 1 at its nine breweries and is still going on.

The strike reduced beer sales by some 2.5 million barrels, costing the company \$13 million, or 29 cents a share, in potential earnings. August A. Busch 3d, president, told shareholders at the annual meeting, held in Williamsburg, Va.

The first-quarter profit of

Continued on Page 60, Column 1

Continued on Page 60, Column 2

Continued on Page 60, Column 3

Continued on Page 60, Column 4

Stock Market Indicators

(The tables for the most active trading, percentage changes, dollar leaders and the market diary pertain to the consolidated tape for all actively traded stocks listed on the New York Stock Exchange and the American Stock Exchange. Market averages, however, are based on the A.P.R. New York closing prices.)

WEDNESDAY, APRIL 28, 1976

N.Y.S.E. Index

Table with 4 columns: Index, Industrial, Railroads, Utilities, Finance. Values: 44.00, 44.10, 44.10, 44.10.

S&P Averages

Table with 4 columns: High, Low, Close, Chg. Values: 122.22, 122.22, 122.22, 122.22.

Consolidated Trading for N.Y.S.E. Issues

Table with 4 columns: Name, Last, Chg, Pct. Lists various stocks like AmEx, AmTr, etc.

Up-Down Volume

Table with 4 columns: NYSE, AMEX, 6,825, 6,825. Values: 6,825, 6,825.

Amex Index

Table with 4 columns: High, Low, Close, Chg. Values: 102.21, 102.21, 102.21, 102.21.

Odd Lot Trading

Table with 4 columns: Name, Vol, Last, Chg. Lists various stocks.

The Dow Jones Stock Averages

Table with 4 columns: 30 Industrials, 15 Railroads, 15 Utilities, 45 Stocks. Values: 102.21, 102.21, 102.21, 102.21.

Consolidated Trading Amex Issues Most Active

Table with 4 columns: Name, Vol, Last, Chg. Lists Amex stocks.

O.T.C. Most Active

Table with 4 columns: Name, Vol, Last, Chg. Lists OTC stocks.

Market Diary

Table with 4 columns: Advances, Declines, Unchanged, Total Issues. Values: 200, 200, 200, 200.

O.T.C. Market Diary

Table with 4 columns: Advances, Declines, Unchanged, Total Issues. Values: 200, 200, 200, 200.

Consolidated Trading for N.Y.S.E. Issues

1976 Stocks and Div. Sales High Low in Dollars P/E 1975 High Low Last Chg

Table with 4 columns: Name, High, Low, Last, Chg. Lists various stocks.

NEW YORK STOCK EXCHANGE COMPOSITE INDEX

NEW YORK STOCK EXCHANGE VOLUME

12-MONTH TREND WEEKLY CLOSE

1976 Stocks and Div. Sales High Low in Dollars P/E 1975 High Low Last Chg

1976 Stocks and Div. Sales High Low in Dollars P/E 1975 High Low Last Chg

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Market Place

Why Buy Quality Corporate Bonds?

By ROBERT METZ

Quality corporate bonds offer a natural refuge for the small investor and can at times, provide a better return with greater safety than most alternatives.

Yet many potential customers for these debt securities are put off by a lack of knowledge about them and, in some cases, by a misplaced desire to make a fortune in the stock market.

The obvious individual customer for quality corporate issues is someone in a relatively low tax bracket—those in federal brackets of 40 percent or higher should consider the tax-exempt advantage of municipal bonds.

Many retirees might gladly buy corporate bonds issued by, say, the American Telephone and Telegraph Company at current yields of 8 1/2 to 8 3/4 percent but have never determined just how to approach the situation.

There are several ways in which the relatively unsophisticated individual can protect himself in the bond market, according to Frank Henjes, a 20-year veteran of the corporate and municipal bond business who will begin doing business under his own name on Wall Street next week.

He believes the individual should buy new bonds of a company he is familiar with as part of an issue of at least \$50 million that is to be listed on the New York Stock Exchange.

He said that the individual investor wanted peace of mind and that, therefore, a resident of North Carolina, for example, would probably be more comfortable with bonds of that state's Duke Power Company, with a resident of Richmond more at ease with bonds of Virginia Electric and Power.

In buying new bonds, the individual buys "net"—that is, without commission—since the underwriter is compensated directly by the company for distributing the bonds.

"Why pay a commission when you don't have to?" Mr. Henjes asked, noting that

new, quality bonds were being sold all the time so that one need not wait more than a week or so to participate in a new issue to his liking.

If the bond is part of an issue of at least \$50 million, the individual can count on a reasonably brisk aftermarket, particularly so if the bond is listed on the New York Stock Exchange.

The individual, in Mr. Henjes's view, definitely should not buy bonds that are not going to be listed on the Big Board because he will then be faced with a professional market in which hundreds of thousands of dollars worth of bonds are sold at a clip.

With bonds unlisted on the Big Board, the investor will take a beating if he must sell five or 10 bonds—if he is able to sell them at all. Further, he will have no frame of reference as to whether the price he gets on a sale is reasonable.

By contrast, the individual who owns bonds that are traded on the Big Board will discover that issues of the caliber and size Mr. Henjes prefers will trade every week and the price at which they trade will appear in newspapers. The individual will be able to tell what he can expect on resale from week to week.

In any case, the broker handling a small trade for an individual—whether the individual is buying or selling—will charge a commission of from \$5 to \$10 per bond. Maturity can be an important consideration. Those who feel they may have to sell their bonds in the foreseeable future should limit purchases to bonds within 7 to 10 years to maturity, Mr. Henjes feels.

Bonds rise and fall in price to reflect changes in general interest levels. A bond purchased for high yield will drop in price if interest rates rise. The risks are less for shorter bonds.

On the other hand, Mr. Henjes believes too many bond purchasers hesitate when the bond has a maturity beyond their expected life span. "He can buy bonds of the same company and same quality and obtain a greater yield if he buys longer bonds."

March Sales by Chains Up 11%; Quarter Volume in 13.4% Rise

Chain-store volume in March topped the year-earlier level by an average of 11 percent, according to a compilation of sales of leading chains by Chain Store Age magazine.

Furthermore, volume in March 1975 had the advantage of Easter's falling on March 30, against April 18 this year.

For the first three months of 1976 volume was ahead of year-ago totals by 13.4 percent.

Strong durable-goods sales at major chains helped them post their advance in March. Mail-order volume also rose last month, indicating that consumers were making early purchases of Easter finery.

One of the best March gains was posted by Levitz Furniture, up 26.1 percent from a year earlier. Levitz's first-quarter gain of 25.4 percent reflected booming sales of durable household goods partly due to a rise in home construction.

Sears Roebuck & Company, the largest chain-store organization, reported a sales gain of 12.1 percent in contrast to a loss of 2.9 percent in March

1975. Its first-quarter gain of 21.8 percent compared with a 0.9 percent rise in the 1975 first quarter.

The table below lists dollar sales for March and the percentage change of 34 leading chains from March of 1975 and for the year to date. Number in parentheses indicate stores in operation, but no adjustment is made for changes in the number of operating units.

1976 1975 % Chg. First-Quarter % Chg. Year-to-Date % Chg.

Table with 4 columns: Chain Name, 1976 Sales, 1975 Sales, % Chg. Lists chains like Aldi, A&P, etc.

LUFKIN OFFICERS IN INSIDERS' SALE

Continued From Page 59 transactions of 10,000 shares or more, also indicated that George D. Gould, vice-chairman, had sold a total of 32,988 shares in February.

Other D.L.I. insiders named in the report are:

Table with 4 columns: Name, No. Shares, Sold Date, Still Held. Lists names like A. Harwood, R. Hester, etc.

The report shows that Mr. Lufkin still owns 128,987 shares of the firm directly and 169,503 shares indirect.

Mr. Lufkin, reached by telephone, said his own sales reflected "just a normal diversification" move, and added that the sales as a group involved no shift in control of the firm. "We've all got a lot of stock left," he said.

The same report showed that John Latschaw, executive vice-president of the E. F. Hutton Group sold 12,400 shares of his firm in March.

FIRST MANHATTAN CO.

Research Investment Management Block Trading Corporate Finance

96 Years of Investment Service

HERZFELD & STERN

Established 1880 Members New York Stock Exchange, Inc. New York • Philadelphia • Miami Beach Palm Beach • Hollywood, Fla. Geneva • Amsterdam

FOR SALE • LEASE

TELEX... NEW \$1450.00 RESULT 1050.00

TWX/DDD...

NEW \$1885.00 RESULT 1485.00

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NATIONAL TELETYPEWRITER CORP.

330 NEWTOWN ROAD PLAINFIELD, N.J. 07053 516-293-0444

TAMPAX INCORPORATED

DIVIDEND NOTICE

The Board of Directors of Tampax Incorporated has declared a regular quarterly dividend of forty-five cents (45¢) per share, on its Common Stock \$25 par value, payable on June 15, 1976 to stockholders of record at the close of business on April 15, 1976.

April 29, 1976

SAVANNAH FOODS & INDUSTRIES, INC.

Notice is hereby given that the Annual Meeting of Stockholders of Savannah Foods & Industries, Inc. will be held Thursday, May 27, 1976, at 11:00 A.M. (Eastern Daylight Saving Time) at One Chase Manhattan Plaza, Room 474, 44th Floor, in New York City.

We are pleased to announce the consolidated results of The Standard Commercial Tobacco Company, Incorporated and its subsidiary companies for the year ended December 31st, 1975.

Table with 2 columns: 1975, 1974. Values: \$100,208, \$75,533.

On March 20, 1976 Trans-Continental Leaf Tobacco Corporation became a wholly owned subsidiary of the Company and the results of that company and its subsidiaries have been consolidated as from that date; for the first time, if Trans-Continental had been wholly owned throughout 1974 and 1975 the results would have been:

Table with 2 columns: 1975, 1974. Values: \$109,783, \$96,022.

The semi annual dividend payable in June will be increased to 25 cents per share (1975 15 cents).

JAMES D. KELLY TREASURER

THE STANDARD COMMERCIAL TOBACCO CO., INC. 500 FIFTH AVENUE, NEW YORK, N.Y. 10036, USA PHONE: (212) 244-1573 CABLE: STANDARCOM NEW YORK INTERNATIONAL TELETYPE: 224078

Attention Investors

Look for The New York Times Annual Report Co-op advertisement in Saturday's Business/Financial pages. This 5 page advertisement features 131 publicly-held companies offering you the opportunity to learn more about them by obtaining their 1975 annual reports.

The New York Times

THOMSON ADI.T.T. FRANCE

Continued From 1

and Pechiney Ugine for acquisition of the in Le Material to get complete control.

In addition Thomson was negotiating to a trol of the French of Sweden's Ericsson ic Group by acquis cent of Ericsson by the parent company, from Cie Generale D and 18 percent of stock to be purchas stock market bids.

With completion Thomson-CSE will show annual sales billion.

Market Diary

Advances 526 Declines 252 Unchanged 49 Total Issues 1829 New York Times 22 17

Dollar Leaders

Table with 4 columns: Name, Total Sales, Shares, Last. Lists stocks like AmEx, AmTr, etc.

WERTH & CO., D.

Member New York Stock Exchange New York • Philadelphia

LOCK ARMO-1000

A dividend on the Southern Railway Co. has been declared, payable to stockholders of record on May 15, 1976, at the rate of \$1.00 per share.

Southern Railway

Ordinary & Preferred Stock

AGREED

1. To appoint two ad prove and sign the Meeting agenda with the Secretary and the Treasurer.

2. To accept a Statement of Comptroller Report six-month financial statements of the Company as of March 31, 1976.

3. To determine the E. bers of Board of D. approval Director.

4. To determine the E. Meeting time and date or custody certificate holder or legally authorized situation, may be date prior to the next Meeting.

5. To determine the E. Meeting time and date or custody certificate holder or legally authorized situation, may be date prior to the next Meeting.

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People and Business

Rhodes Seeks Ohio Toyota Plant

James A. Rhodes, who has been promoting new investment in Ohio, accompanied by the development director, A. Duerk, who said the two would meet "a number of Japanese industrial leaders."

Mr. Zarb contended that an 18-month extension would not allow time for completion of F.E.A. programs for reducing dependence on oil imports through increased production of domestic gas and oil, coal and nuclear power.

Secretary of Agriculture Earl L. Butz said yesterday that disagreements between the United States and the European Common Market over agricultural trade could lead to the failure of the multinational tariffs and trade negotiations now under way in Geneva.

Mr. Butz's comment came at a news conference after he had addressed delegates to the 93-nation trade conference, which is being held in Geneva under the General Agreement on Tariffs and Trade.

STOCKS MOVE UP IN QUIET SESSION

Continued From Page 59

Issues listed on the New York Stock Exchange amounted to 18.77 million shares, compared with 21.01 million the previous day.

There were 133 blocks of 10,000 or more shares each that traded yesterday, as against 159 blocks the previous day.

"The market doesn't really want to go down," Leslie M. Pollack, a senior vice president of Shearson Hayden Stone Inc., said.

Among the blue chips moving higher were: Du Pont, up 1/2 at 151 1/2; Eastman Kodak, up 1/2 at 110 1/2; and Exxon, up 1/2 at 95 1/2.

Texaco headed the active

list, trading 330,300 shares and closing with a half-point gain at 37 1/2.

CARBIDE IS CHARGED IN SALES TRUST SUIT

Polaroid was active and lower, declining 1 1/2 to 34 1/2. In the chemicals, Union Carbide slipped 3/4 at 71 1/2.

WASHINGTON, April 28 (UPI)—The Justice Department charged today the Union Carbide Corporation, the nation's largest chemical company, with illegally restraining sales of some of the company's pesticides.

its carbaryl insecticides under the trade name "Sevin."

A civil suit charging violation of the Sherman Antitrust Act was filed in United States District Court in San Francisco, headquarters of the New York concern's agricultural products division.

while having low toxic effects on plants and humans. It mixes with a variety of other compounds for different ultimate uses.

The suit charged Union Carbide, sole domestic manufacturer of carbaryl, has prevented wholesale purchasers from selling it in its pure form or selling it in any mixture with other compounds except those that Union Carbide specifies.

Amex and O-T-C; King Is Moderate

American Stock Exchange and the over-the-counter market yesterday for the consecutive session finished with minor price changes and moderate trading.

in both markets weakened the opening when the price Department reported its index of leading economic indicators fell in March for the first time since last October.

Amex issues, intraday transactions on exchanges and the market, declined to 2.03 million shares from 2.23 million Tuesday.

Industrial index rose 7.42, while the composite index of 413 issues declined 0.21 to 102.61. Deere advanced by 24 1/2. The price of a share fell 2 cents to 2.03.

On the Board Options Exchange, 283 contracts traded, 482 the day before, most amounted to contracts.

UNITITS FACE ITAL DECLINE

can be counted upon their debt in accordance with current schedules. The statement adopted by the Bankers Association for Foreign Trade called for misleading or enlarging their portfolios in their poorer countries.

Sovereign governments are expected to use course available to avoid default to lenders. And it adds that moratorium or de-

ystem of bank earnings urged the association to emphasize more to the public that from international had been growing domestic earnings.

statement said that Chile "believes very much that it is a fundamental part of its economic recovery in international countries would be export prospects developed countries.

Stressing that Chile's debt was "not" last year, and as done for Argentina. The policy statement said "the rescheduling to fit into revised expectations of the Chile's new nor adverse; it has been sure of our domestic for years."

three primary sites being considered for the Volkswagen plant, two are in Ohio—Columbus and a Cleveland suburb, and the third is at New Stanton, Pa., near Pittsburgh.

Testifying in favor of a three-year extension of the Federal Energy Administration, Mr. Zarb said also that he foresaw no more than "seasonal" price increases on gasoline during the summer.

Principal and semi-annual interest (November 1 and May 1) first coupon November 1, 1976 payable in Hartford, Connecticut. Coupon bonds in the denomination of \$5,000, registrable as to principal only.

These bonds, in the opinion of counsel, will be valid and legally binding general obligations of the Town of Manchester, payable from ad valorem taxes to be levied against all taxable property therein, without limitation as to rate or amount.

AMOUNTS, MATURITIES, YIELDS AND PRICE

Table with columns: Amount, Due, Yield, Amount, Due, Yield or Price. Rows include \$195,000 1977 3.50%, \$185,000 1987 5.60%, etc.

These bonds are offered when, as and if issued and received by us and subject to approval of legality by Uppike, Kelly & Spellacy, P.C., Hartford, Connecticut.

This announcement is not an offer to sell nor a solicitation to buy these securities. The offering is made only by means of the Official Statement, copies of which may be obtained from the undersigned.

Chemical Bank The First National Bank of Chicago Drexel Burnham & Co. Baird, Patrick & Co., Inc. April 29, 1976

Interest exempt from all present Federal Income Taxes. Moody's: A1 Standard & Poor's: AA

\$3,505,000

Town of Manchester, Connecticut 5.80% Various Purpose General Obligation Bonds

Dated: May 1, 1976 Due: May 1, 1977-96

Principal and semi-annual interest (November 1 and May 1) first coupon November 1, 1976 payable in Hartford, Connecticut. Coupon bonds in the denomination of \$5,000, registrable as to principal only.

THESE BONDS, in the opinion of counsel, will be valid and legally binding general obligations of the Town of Manchester, payable from ad valorem taxes to be levied against all taxable property therein, without limitation as to rate or amount.

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Chemical Bank The First National Bank of Chicago Drexel Burnham & Co. Baird, Patrick & Co., Inc. April 29, 1976

NOTICE OF REDEMPTION To the Holders of KINGDOM OF BELGIUM

External Loan Sinking Fund 5 1/2% Bonds due December 1, 1976

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of the Bonds of the above-described issue, Morgan Guaranty Trust Company of New York, as Sinking Fund Agent, has selected by lot through operation of the Sinking Fund for redemption on June 1, 1976 at the principal amount thereof together with accrued interest to the date fixed for redemption \$911,000 principal amount of said Bonds bearing the distinctive numbers listed below:

Table with columns: Coupon Bonds of \$1,000 Each. Rows include 10 1420 3215 4661 6040 7672 9445 10795 12173 13674 14997 16888 17776 19146 20272 21543 22343

Holders of said Bonds should present and surrender them for redemption and payment on or after June 1, 1976 at Morgan Guaranty Trust Company of New York, Corporate Trust Department, 15 Broad Street, New York, N.Y. 10015 with coupons maturing on December 1, 1976 attached. Coupons maturing on said redemption date should be detached and presented for payment in the usual manner.

From and after such redemption date interest on the Bonds so called for redemption shall cease to accrue, and any coupons for interest maturing after said date shall be null and void.

KINGDOM OF BELGIUM by: Morgan Guaranty Trust Company of New York, Sinking Fund Agent. April 29, 1976

Advertisement for The Kansas Power and Light Company. Includes text: 'This advertisement is neither an offer to sell nor a solicitation of offers to buy any of these securities. The offering is made only by the Prospectus.' 'NEW ISSUE' '1,250,000 Shares' 'Common Stock (Par Value \$5 Per Share)' 'Price \$18.875 per share' 'Copies of the Prospectus may be obtained from such of the underwriters as are registered dealers in securities in this State.'

Advertisement for American Brands, Inc. '283RD COMMON DIVIDEND' 'A regular dividend of Seventy Cents (70¢) per share has been declared upon the Common Stock of AMERICAN BRANDS, INC., payable in cash on June 1, 1976, to stockholders of record at the close of business May 10, 1976. Checks will be mailed. C. A. MEHOS, Vice President—Finance April 27, 1976' Lists companies: The American Tobacco Company, GALLAHER LIMITED, James B. Beam Distilling Co., Master Lock Company, Swingline INC., Wilson Jones, Sunshine Biscuits, INC., Marvel LIGHTING CORPORATION, ACME VISIBLE RECORDS, INC., American Cigar, DUFFY - MOTT COMPANY, INC., THE ANDREW JERGENS COMPANY, W. R. ASE & Sons Cutlery. AMERICAN BRANDS, INC., 245 PARK AVENUE, NEW YORK, N.Y. 10017

Personal Finance: Banks and Overdraft Checking

By LEONARD SLOANE
A check may be written for more than the bank balance...

Since overdraft checking would normally go into effect for those who have it as soon as the account was overdrawn...

the principal outstanding—say one twentieth or one thirty-sixth.

er's option, to a checking account to cover an overdraft.

Overdraft checking is a tool used by banks to allow customers to write their personal checks without filling out a new application each time.

For instance, the European American Bank and Trust Company leaves the level to the discretion of the branch manager...

At those banks, bills are usually issued monthly and payments must be made accordingly to work off the loan...

Furthermore limited overdraft checking for savings banks is included in the bill...

Each bank usually has its own name to identify this service. The Marine Midland Bank calls it Line of Credit...

Another major consideration is the minimum amount of the dollar advance to the customer...

Interest rates on overdraft checking normally tie in with the maximum permitted by state law.

LONG-TERM BONDS ADVANCE IN PRICE
Continued From Page 58

Regardless of the bank, overdraft checking requires completing a single application form requesting the service...

Then there is the matter of how the overdraft loans are repaid. All banks require a monthly payment of at least a minimum amount...

While bankers indicate that overdraft checking is not currently so popular a service as many other offered...

will auction \$2 billion of notes to mature in almost two years. On Wednesday it will sell \$3.5 billion of 7 1/2 percent 10-year notes...

Consolidated Trading for N.Y.S.E. Issue

Table with multiple columns: Ticker symbols, prices, and trading volumes. Includes sections for 'Continued From Page 58' and 'New Bond Issues'.

COLLECT MONTHLY INCOME TAX-FREE
\$40,000,000 Tax-Exempt Fund

The Municipal Investment Trust Fund, Fifty-Third Monthly Payment Series (A Unit Investment Trust) has just been announced.

Current Return-6.98%

- Here are some of the other features:
• You receive a monthly check for your interest in the mail. No coupons to clip.
• The trust holds a balanced portfolio of municipal bonds selected by bond specialists...

Bonds 100% rated "A" or better
This represents the net annual interest income, after annual expenses, divided by the public offering price...

A prospectus containing more complete information about the Municipal Investment Trust Fund, 53rd Monthly Payment Series including all charges and expenses will be sent upon receipt of this coupon.

M-I-T-F PROSPECTUS
Name (Please Print)
Address
City State Zip
Home Phone Business Phone
MAIL TO: Any of the Sponsors or Additional Underwriters listed below

Merrill Lynch, Pierce, Fenner & Smith
Bache Halsey Stuart Inc.
Reynolds Securities Inc.
Additional Underwriters
Shearson Hayden Stone Inc.
White, Weld & Co.

New Bond Issues
UTILITIES
Soc Sec 84516 97.50 98.00 +0.48 1.13
Am Tel 84516 97.50 98.00 +0.48 1.13

terday to draw a substantial volume of orders, dealers said it was not likely to generate the enthusiastic response that the Treasury's 8 percent seven-year notes generated in February.

TREASURY TO PARE 1976 BORROWINGS

Continued From Page 59
denominations as small as \$1,000. The two-year notes will be offered in pieces of \$5,000 and up.

The Treasury's reduced appetite for cash and the apparent reduction in the budget deficit over the two years are arithmetically identical—were disclosed by Edwin H. Yeo, the Treasury's Under Secretary for Monetary Affairs, in announcing the new issues.

He also disclosed that the Treasury has reduced up to \$12 billion its earlier target for a fiscal year-end June 30 cash balance of \$9 billion.

In July, August and September, Mr. Yeo said, the Treasury would raise \$35 billion to \$40 billion more in cash.

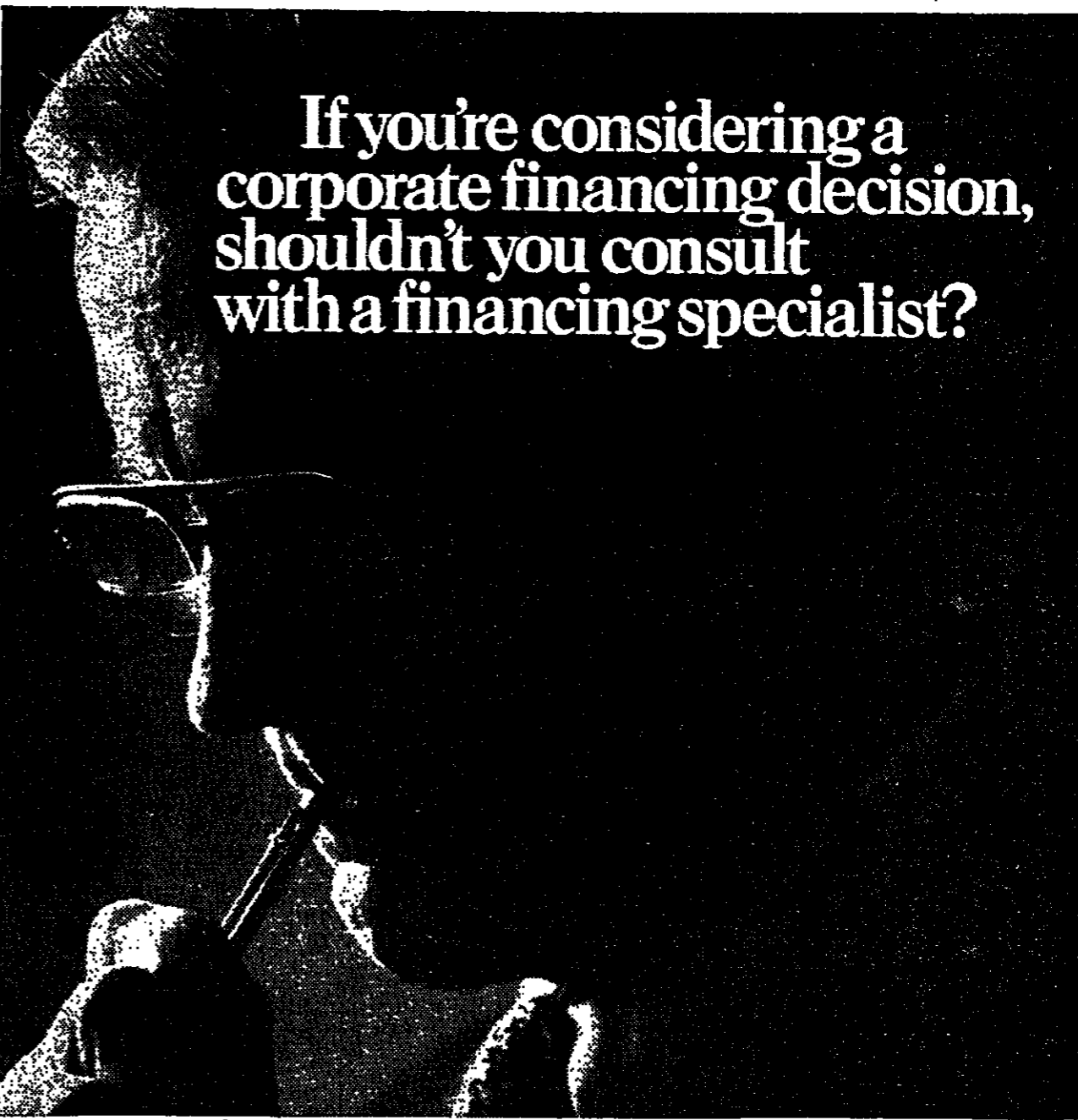
and Foreign
Merrill Lynch, Pierce, Fenner & Smith
Bache Halsey Stuart Inc.
Reynolds Securities Inc.
Additional Underwriters
Shearson Hayden Stone Inc.
White, Weld & Co.
Merrill Lynch, Pierce, Fenner & Smith
Bache Halsey Stuart Inc.
Reynolds Securities Inc.
Additional Underwriters
Shearson Hayden Stone Inc.
White, Weld & Co.

U.S. and Foreign Stock Exchanges

Table of stock market data for various exchanges including Midwest, Pacific, Boston, Toronto, London, Zurich, Frankfurt, Amsterdam, Paris, Tokyo, Johannesburg, Brussels, and Doney. Columns include stock symbols, prices, and changes.

Soviet Buying Lifts Prices for Futures In Wheat and Corn

By ELIZABETH M. FOWLER. Buoyed by the reappearance of the Soviet Union in the grain markets, traders pushed prices ahead yesterday on the Chicago Board of Trade. May wheat closed at \$3.31 3/4 a bushel, up from \$3.29 1/4, reflecting hopes of what purchases. May corn moved up almost 3 cents a bushel, to \$2.70, up from \$2.67 1/4, on news of one corn purchase.



If you're considering a corporate financing decision, shouldn't you consult with a financing specialist?

Whether it's a substantial loan or an international placement, we have a specialist to give you the best counseling possible. The Swiss Bank Corporation has over a century of experience in serving leading corporations, both domestic and international. We have assets of \$19 billion and resources to satisfy most any financial need.



With branches in New York (212) 791-2777, Chicago (312) 346-0360 and San Francisco (415) 434-2640. Representative offices in Los Angeles (213) 489-5900 and Houston (713) 223-5160.

MONTREAL

Table of stock market data for Montreal, listing various stocks and their prices.

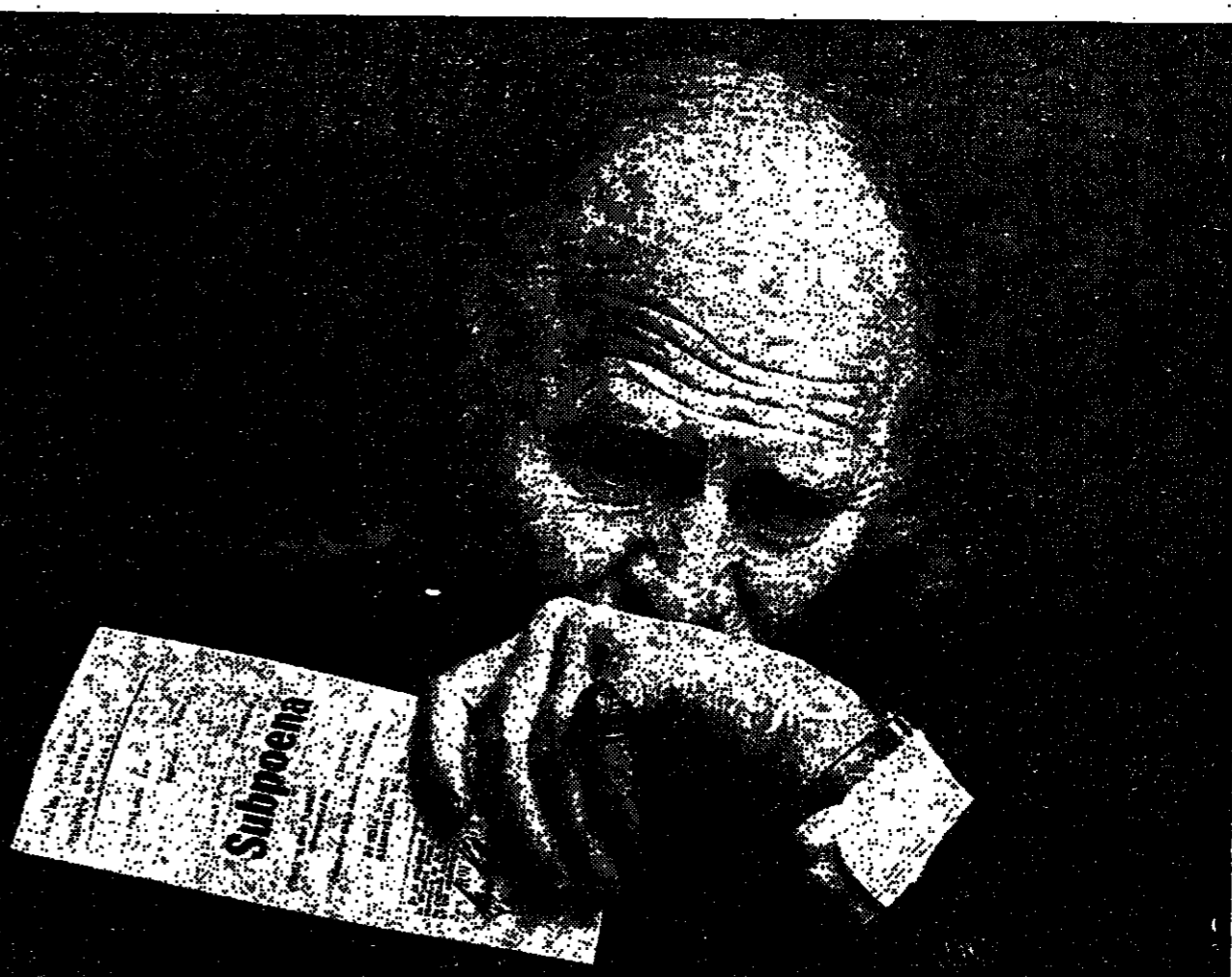
Cash Prices

Table of cash prices for various commodities and currencies, including gold, silver, and various international currencies.

Table of money market data, including interest rates for various banks and financial institutions, and gold prices.

NOTICE OF REDEMPTION TO THE HOLDERS OF BOOTHE COMPUTER CORPORATION CONVERTIBLE PREFERRED STOCK

Notice is hereby given that the Board of Directors of Boothe Computer Corporation (the "Company") has, pursuant to the Certificate of Determination of Preferences of the Company's Convertible Preferred Stock without par value (the "Stock"), elected to redeem, on May 12, 1976 (the "Redemption Date"), all of the Stock outstanding on that date. The redemption price is \$4 per share.



YOU MIGHT HAVE MADE IT TO THE TOP ON YOUR OWN, BUT YOU'LL NEED SOME HELP TO STAY THERE.

Advertisement for O'CONNOR & WEEKS, INC. and O'CONNOR INVESTMENT SECURITIES, INC. listing services such as principal bonds, full-service investment bankers, and corporate finance.

Advertisement for American Home Assurance Company/National Union Fire Insurance Company of Pittsburgh, Pa. offering directors and officers liability insurance.

Consolidated Trading for N.Y.S.E. Issues

New York Stock Exchange Bond Trading

WEDNESDAY, APRIL 29, 1976

Continued From Page 62

Table with columns: 17 1/2% Stocks and Div. Sales, 17% Stocks and Div. Sales, 15% Stocks and Div. Sales. Includes stock symbols, prices, and volume.

Notes on dividend dates, stock splits, and other market-related information.

WEDNESDAY, APRIL 29, 1976

INTER-AMERICAN DEVELOPMENT BANK

U.S. Govt. Bonds, Other Data, Percentages

WORLD BANK

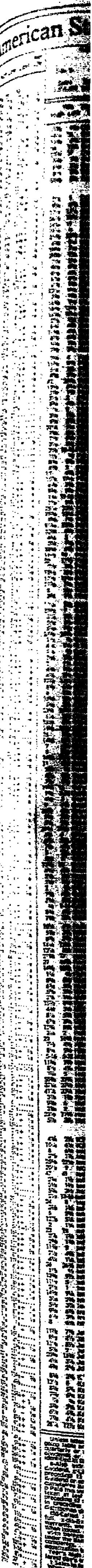
CORPORATION BONDS

Table of bond trading data including U.S. Govt. Bonds, World Bank, and various Corporation Bonds with columns for yield, price, and volume.

FOREIGN

American Exchange Bond Tr.

Table of American Exchange Bond Trading data with columns for bond symbols, prices, and yields.







Over-the-Counter Quotations

Quotations supplied through NASDAQ as of 4:00 P.M. Quotes do not include retail markup, markdown or commissions. Volume represents shares that changed ownership during the day. Figures include only transactions effected by NASDAQ market-makers but may include some duplication where market-makers traded with each other.

Table of over-the-counter quotations for various stocks, including columns for Bid, Asked, and Change. Includes sub-sections for Foreign Securities, Banks and S&Ls, and Authority Bonds.

Table of foreign securities and bank and savings and loan (S&L) stock quotations, including columns for Bid, Asked, and Change.

Table of Authority Bonds, listing various government and agency bonds with their respective bid and asked prices.

Table of United States Government and Agency Bonds, providing detailed information on bond yields and prices.

Table of Mutual Funds, listing various investment funds and their current performance metrics.

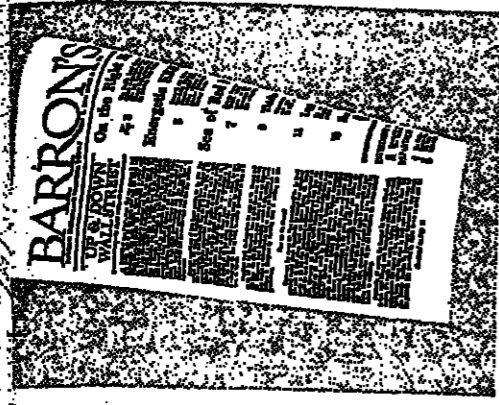
Table of Supplementary O-T-C (Over-the-Counter) securities, including additional stock and bond listings.

Advertisement for Gerson's, featuring a cartoon character and text promoting their services: 'Gerson's We do your job... 333 Hudson St.' Includes a 'Totowa, NJ' ad for '47 AC'.

Large vertical advertisement on the right side of the page, featuring a cartoon character and text: 'for what can't be... history... is BARBON... We been... Directo... ng Buy... over 40... quality... the way you... He's... every... Gerson's We do your job... 333 Hudson St.'

سلاسل

### Read for what money can't buy.



What can't money buy? Time.

Today, there are far fewer financial analysts on Wall Street than there were years ago.

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Believe us, the time is right.

Advertising is history. Barron's is BARRON'S.

100 investment-minded readers.

### Advertising Fiery Sales in Smoke Detectors

By PHILIP H. DOUGHERTY

The home smoke detector seems destined to become one of the heavily promoted electronic appliances. What would seem to make its future assured is the increasing number of state, county and municipal governments that have passed legislation requiring such equipment in all new private housing.

Another factor certain to put a fire under the consumer is that major marketing companies are getting into a field once dominated by small manufacturers. And the prices are coming down.

Charles S. Ruddy, manager of public relations for the Housewares and Audio Division of General Electric, says that 1.6 million units with a wholesale value of \$36 million were sold last year and gave the estimate of sales of 3.6 million units worth \$87 million at wholesale for 1976. And he is projecting as many as eight million a year by 1980. The new coffee makers, currently the hottest appliance around, are selling about 10 million units a year.

Last September, G.E.'s Home Sentry Smoke Alarm became the first such product to be advertised on network television. Now, in recent weeks, Norelco and Gillette have announced they will start advertising their own entries in the fall.

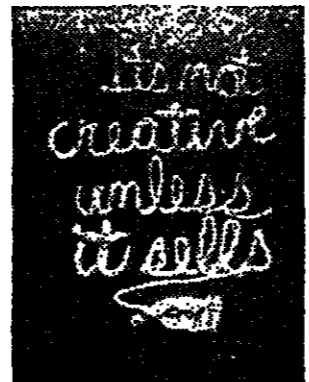
The Norelco consumer products division has signed Danny Thomas, who previously pushed its coffee maker, to promote its Norelco Smokey, McCaffrey & McCaffrey is the agency.

Richard Q. Kress, president of the division, is extremely optimistic about the future of Smokey noting that few homes are now equipped with a smoke detector device, and that each might use two or three.

Mr. Ruddy of G.E. said his company estimates that there are an estimated 47 million single-family homes. In addition multiple dwellings and mobile homes are potential targets. G.E. spent over \$1 million for advertising through Batten, Barton, Durstine & Osborn during the last half of 1975 to reach that

### Benton & Bowles Sold on Gift Idea

It all started with a Christmas gift. Hillary Vermont, an assistant art director at Benton & Bowles, gave to her boss Alvin Hampel, executive vice president and director of creative services. She took his favorite slogan "It's not creative unless it sells" and baked it like an unruly pretzel.



With it a contest with a \$500 first prize was born. The idea was to reward the most creative communication of the slogan.

None of the contestants engraved it in stone, but that's about the only medium that was missed. Metal, wood, paper, fabric—all are represented at the exhibition now at the agency.

The winner—and this shows how seriously the slogan is taken—is a clear plastic box with a Bible seeming to float in the center, above scarlet velvet embroidered with the marvelous thought. It made Ben Motola, also an assistant art director, the winner.

Clients' products were not

overlooked, either. The Word of Hampel was written in Crest toothpaste and in many languages in many colors on many sheets of Charmin.

Some liberties were taken with the original, too. On a ship's telegraph was the legend, "It's not creative unless it sells," and on a Texaco auto battery, "It's not creative unless it sells."

market. Its budget has increased substantially this year.

Gillette, which like Norelco is also marketing fire extinguishers, is using Benton & Bowles as agency for its Captain Kelly Smoke Detectors. Advertising in television and print begins in October.

All of these systems will carry suggested prices of \$35 to \$50, and most probably will be discounted.

The Fire Protection Equipment List of Underwriters Laboratories contains eight pages of smoke detector manufacturers (mostly small companies), and according to George Saunders, managing engineer of its burglary detection and security department, about a dozen more detectors are now in the laboratories.

Where there's smoke, there's money.

TV Ad Changes Predicted

One of the major factors that slowed the entry of retailers into television advertising was the high cost of commercial production. Since much of their advertising is one-shot item advertising, they do not have the luxury of amortizing production costs. So what has frequently

resulted is junky-looking commercials.

However, yesterday as the Television Bureau of Advertising opened its two-day Retail Workshop at the Biltmore Hotel, its president, Roger D. Rice, predicted a change this year.

"We feel," he said, "that retailers have learned to spend money to make money—in television. And so we predict television schedules and commercial production budgets that would have frightened to death retailers of the past but which more and more of you see not as expensive, but as an investment—dollars invested in return dollars."

An interesting comment, anyway.

Checkout Use of Jargon

With tongue in cheek Checkout, a newsletter published by Marsteller Inc., suggests that as a substitute for "hard, painful planning," marketing people try "the latest fad semantics."

Some very useful phrases provided were "price-value relationship" and "strongly then the marketing/sales interface," and "visible within the given parameters" and "prioritize your objectives."



### We've been keeping Art Directors and Advertising Buyers smiling for over 40 years.



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We've kept Art Directors smiling by making sure that the color they ask for is the color they get. And we keep printing buyers smiling by providing fast, personal high-quality service.

With our efficient, modern, versatile equipment we can keep the job and the price right.

So if you're looking for a quality printer ready to do your job the way you want it, dial (212) WA 4-5910.

And ask for Steve Gerson. He'll show you how we keep everybody smiling.

**Gerson Offset**  
We do your job the way you want it done.  
333 Hudson St., New York, N.Y. 10013.

### Business Briefs

**Kodak Canadian Unit Sues Polaroid**

Two weeks before the Polaroid Corporation accused the Eastman Kodak Company of infringing 10 United States patents with its new instant picture system, Kodak's Canadian subsidiary filed an "impeachment action" in the Federal Court of Canada, seeking to have nine Polaroid instant picture patents declared invalid. Kodak announced its April 13 action yesterday, one day after Polaroid disclosed that it had filed the infringement suit in the United States District Court for Massachusetts late Monday afternoon.

**Power Agency Urged for Oregon**

Special to The New York Times

PORTLAND, Ore., April 28—Gov. Robert W. Straub proposed today the creation of a state power agency that would buy inexpensive electricity from federally operated hydroelectric dams and resell it to homeowners and farmers. If the Legislature agrees with Mr. Straub's plan, the Oregon Power Authority would buy electricity from the Bonneville Power Administration beginning in 1983, when B.P.A.'s contracts with 19 major industries start expiring.

Mr. Straub said the state would resell the power to residents and farmers through distribution contracts with the state's two major, privately owned utilities, the Portland General Electric Company and the Pacific Power and Light Company.

**Dollar Declines as Pound Gains**

BRUSSELS, April 28 (UPI)—The dollar and the Italian lira closed on a downward trend on most European money markets today, while the pound strengthened for the second consecutive day. The price of gold declined after rising more than a dollar yesterday. It closed at \$128.15 in Zurich, down from \$128.65, and it lost 75 cents in London to close at \$128.25.

The pound closed at \$1.8325, its best rate in a week and up from \$1.82375 Tuesday. Dealers in London said there was a fairly strong demand for sterling, although the market was basically quiet.



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**PROFESSIONAL BOOK OF THE WEEK**

**HANDBOOK OF INVESTMENT PRODUCTS AND SERVICES**

by Victor L. Harper

This handy, clearly-written volume is a complete sourcebook of financial investment opportunities, many of which are alternatives to stocks and bonds. It thoroughly covers the values and drawbacks of such products and services as gov't bonds, common and preferred stocks, real estate investment trusts, options, mutual funds, life insurance, commodities, Keogh plans, pension plans, investment clubs, tax-sheltered investments, and much more. Completely indexed with over 3,000 entries, each chapter is self-contained and designed for easy reference. 429 pages, \$17.95

New York Institute of Finance

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NEW YORK  
MENT CORPORATION  
ALBANY, N.Y. 12208  
Construction of Building Nos. 10 & 11  
City, New York in location No. 0190-C and all well as required by the Corporation at 909 York, N.Y. 24th Floor, 10th Floor, May 27, 1976. 4th copy and read. It is required to give a contract. Plans and specifications of the building. Facilities to be provided for the building. The building is to be used for office space. The building is to be used for office space. The building is to be used for office space.

Totowa, N.J.  
Close to Routes 80 & 46

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**EQUITY FINANCING**

An offering of 1,250,000 common shares of the Kansas Power and Light Company, at \$18.575 a share, was made yesterday by underwriters headed by the First Boston Corporation and Dean Witter & Company.

An offering of 250,000 common shares of Communications Industries Inc., at \$17 a share, was made yesterday by underwriters headed by Blyth Eastman, Dillon & Company.

An offering of 500,000 common shares of the Dynascan Corporation, at \$13 a share, was made by underwriters headed by William Blair & Company.

Southwest Airlines Inc. said it would register 366,000 common shares as well as 110,000 shares by warrant holders with the Securities and Exchange Commission in connection with a proposed offering in June.

The Panhandle Eastern Pipe Line Company shareholders at their annual meeting approved yesterday an increase of 10 million shares—to 30 million shares in the company's authorized common stock. The company said it was considering a public offering "sometime" this year.

Olinkraft Inc. registered 1 million common shares with the S.E.C. in connection with a proposed offering through underwriters headed by Blyth Eastman Dillon.

Stores Chains Are Indicted

A Federal grand jury has indicted Federated Department Stores and Saks and Company for an alleged conspiracy to fix prices in women's apparel in the San Francisco Bay area through their I. Magnin and Saks Fifth Avenue stores. The indictment and a civil suit against the two retail chains were filed in the United States District Court in San Francisco.

Fraud Dooms Bangalore

DACCA, Bangladesh, April 28 (Reuters)—A civil servant has been sentenced to death here by a martial-law court for fraud and for accepting a \$2,400 bribe. Abdul Kader Khan, who was involved in development projects in northern Bangladesh three years ago, was convicted yesterday of accepting the money from contractors and defrauding the government of \$8,000.

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for particular ad agencies, publishers and printers. Exceptional quality, exceptional prices. Press-proofed notice.

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BIDS

ADVERTISING THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Sealed proposals for the following contracts will be received by the Chief Engineer, Room 602, One World Trade Center, New York, N.Y. 10048, until 2:00 P.M. on the date indicated and will then be opened and read in Room 602. Contract documents may be seen at Room 602 and will be furnished upon request. Questions by prospective bidders concerning any one of the contracts should be directed only to the person whose name and phone number is checked. LTA-064-76—La Guardia Airport—Heavy Investment Parking—Bid Due Thursday, May 20, 1976. Three Questions to Mr. John Spencer (212) 607-1128 or (212) 622-6229 Extension 1128.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**OFFERINGS TO BUYERS**

Great Buy from Distributor  
**CB RADIO RECEIVERS**

\$14.95 each (Retail \$20.00)  
Mr. Stern

**LED WATCHES**

34 & 55 watches available for \$9.95 each. \$2.00 shipping. Available only in large quantities. Call for details.

**NO IRON SHEETING**

Professional, Portable & Electric. Solid colors & prints. In one yard + convenient carrying. \$2.95 100 yds.

**IVORY**

600 napkins 200 neck \$130 514-274-142

**AQUA AMMONIA WATER**

20-25% mixture for professionalization.

CB Truck Antenna System packed \$17.95. Free Converter \$12.95. Add \$3.00 shipping. Limited quantity. Call (201) 721-1200

ATM WHOLESALES & JOBBERS  
Buy direct from manufacturers. Wholesale, home suits, hatters & hatter dresses. Call 201-948-0229

**any good books lately?**

Keep up with the latest every weekday with The New York Times review of Books of the Times. And on Sundays in The New York Times Book Review.

G.M. Reports Sharp Profit Rise, Underlining Business Recovery

Continued From Page 1, Col. 3, ran at an annual rate of 10.2 to 8.3 million last year. The only company left out of the big upturn is the American Motors Corporation. Sales of its small car, the Pacer, have fallen drastically. G.M. has been the sales leader and its dollar sales for the first quarter of this year were a record \$1.4 billion, up 50 percent over the \$7.6 billion for the first quarter of 1975. G.M. reported that its worldwide employment for the first quarter averaged 714,000 persons, compared with 651,000 in the first quarter of 1975. Both General Motors executives noted that profits were generally high when the auto industry began a recovery. Labor costs are lower, and productivity is up because higher volume is achieved with fewer workers, who begin to work heavy overtime. Both executives noted that the earnings for the first quarter of this year included an unfavorable adjustment equal to 2 cents a share, which reflected changes in accounting procedures. The Ford Motor Company is to report its earnings tomorrow. Car sales for the first quarter

MARCH CONTRACTS FOR BUILDING UP

Dodge Reports 42% Rise for Future Construction

Contracts for future construction rose 42 percent to \$8.9 billion in March, the F. W. Dodge division of the McGraw-Hill Information Systems Company reported yesterday. Residential contracts at \$2.56 billion were up by 59 percent over the March 1975 figure, reflecting the revival of housing construction. Nonbuilding construction contracts at \$2.72 billion gained 48 percent, and non-residential construction at \$2.56 billion went ahead by 17 percent. The seasonally adjusted Dodge index of total construction, with 1967 as 100, rose to 135 in March, up from 170 in February, 183 in January and 150 in March of 1975. George A. Christie, vice president and chief economist of Dodge, said that recent contract figures were offering evidence that with conditions this year looking better, it now appeared that 1977 would be a big year for business capital spending, and contracting for commercial and industrial facilities should be rising for the balance of 1976. While Government-funded projects such as highways, sewers, and water projects have fallen behind last year's pace, Mr. Christie noted that there had been a definite increase in construction projects, such as electric generating plants. With a revival of interest in the housing market, the contracts for residential work in March are now showing a more than 50 percent increase over the low level of March 1975, Mr. Christie said. Dodge reported that during the first quarter of 1976, new construction contracts totaled \$21.4 billion, exceeding last year's opening quarter by 30 percent. Residential construction contracts rose by 56 percent in the quarter, non-residential buildings were down by 2 percent, and non-building construction increased by 47 percent.

Soviet Union Buying \$400 Million Worth of U.S. Corn and Wheat

Continued From Page 1, Col. 6 would have little if any effect on consumer prices in this country since the United States already has a surplus of grain and large new crops are expected later this year. They also have said that they expect total food prices in the United States to rise no more than 4 percent this year, well below the increases of recent years and also below anticipated rises in other consumer products. Today's sales continue heavy purchasing that started last summer as a result of the Soviet Union's disappointing grain crops. Because of severe droughts, the Russians harvested 140 million tons of grain, compared with an early target of 215 million tons. The Soviet crops are expected to fare better this year, but are still considered unlikely to produce enough to put adequate reserves in the country's depleted bins. Of the total grain sold, 1.4 million tons will come under the United States-Soviet agreement, announced last October, obligating the Russians to buy at least six million tons of grain a year for five years, beginning next Oct. 1. The 1.4 million tons of so-called new crop grain, still to

be harvested, includes 1.1 million at 15.8 million metric tons, including 4.4 million metric tons of wheat, or 161.7 million bushels, and 11.4 million tons of feed grains. The first of today's sales was announced shortly after commodity markets closed. It was a purchase of 400,000 tons of old crop corn, were made for delivery through July, before the Oct. 1 effective date of the five-year agreement. The total sales of United States grain to the Soviet Union from the last crop thus stand at 500,000 tons

of it for delivery before Sept. 30 and 500,000 tons for delivery from the new crop, after Oct. 1. Then, late today, Continental confirmed that it had concluded the largest of the three deals, 1.7 million tons of corn and the 300,000 tons of wheat. The wheat and 600,000 tons of old crop corn are for delivery from new crop grain after Oct. 1. The other 1.1 million tons of corn, from old crops, would be delivered before October. Mr. Bell had said that new sales of grain to the Soviet Union were likely to total volume from about 17 million to about 20 million metric tons. Before today's announcement, the Department had said the grain carryover would be about 550 million metric tons and 462 million metric tons of wheat, when the new crop is harvested this summer.

Chicago Board Options Exchange

Table with multiple columns showing market data for various options and commodities. Includes sub-sections for 'Option & price' and 'Option & price' with various symbols and prices.

SUPPLY OF GASOLINE DECLINED FOR WEEK

The nation's supply of gasoline continued to move lower, falling almost 4 million barrels in the latest week, according to statistics released yesterday by the American Petroleum Institute. In the week ending April 23 the United States had 229.7 million barrels of gasoline in stock, down from 233.56 million barrels in the week of April 16 and from 232.26 million barrels in the week of April 25, 1975. The possibility of a tightness in gasoline supplies this summer is being increasingly discussed by energy analysts but most experts still expect that shortages can be avoided. Analysts who argue against the possibility of shortages this summer note that the nation's refineries are only running at

87.7 percent of capacity up from 82.2 percent last year at this time. They also point to crude oil stocks, which stand at a healthy 275.25 million barrels.

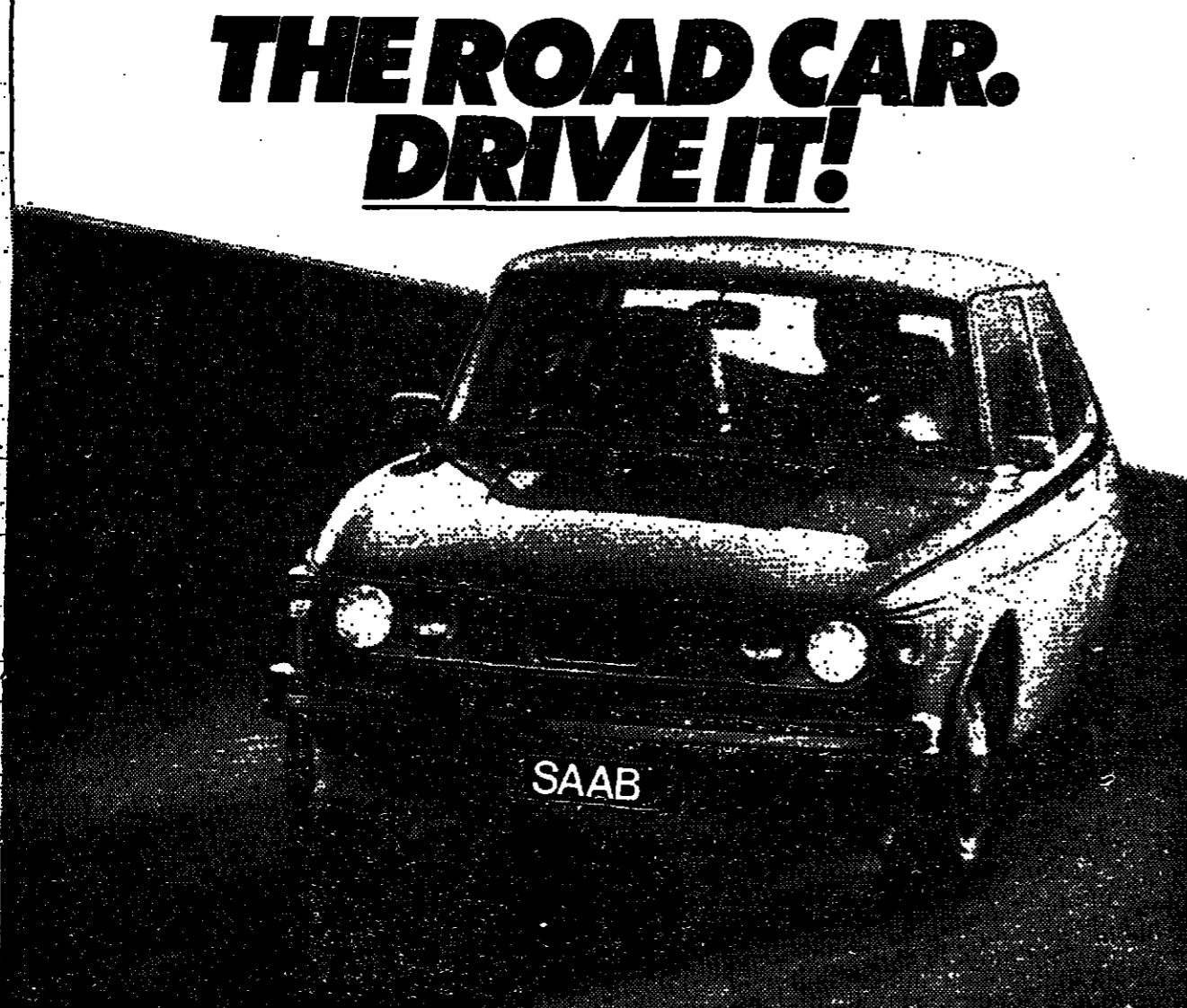
Other analysts contend that gasoline consumption has been climbing for the first time since the Arab embargo in 1973-74. They also note that the Bicentennial year should lead to above-normal vacation driving. Imports of crude oil rose to 4.5 million barrels a day from 4.3 million barrels a day in the preceding week. A year ago the nation imported 3.92 million barrels a day.

Table with 3 columns: Week of, April 22, April 14, April 25, 1975. Rows include Gasoline production, Distillate production, Gasoline stocks, Distillate stocks, Crude oil imports, Product imports, Crude oil stocks.

Business Records

BANKRUPTCY PROCEEDINGS

PETER BERANGER, also known as Peter John Beranger, formerly doing business as the King's Service Company, 15 Hudson Ave., Irvington, N.Y. Liabilities \$14,470; assets none. SAMUEL HALL, formerly doing business as Hall and Green, 25 Ackerman St., Beacon, N.Y. Liabilities \$19,977; assets \$10,500. WILLIAM STEED, formerly doing business as Will and Steed, 120 Howe Ave., Westwood, N.Y. Liabilities \$40,748; assets \$18,420. MIDDLETOWN SUPPLY INC., 381 North St., Middletown, N.Y. Liabilities \$1,275,591; assets \$381,452. Signed by Low L. Beckman, vice president. CAROLYN A. LAUWITSCH, formerly doing business as Alston Country Products Inc., 27 Strawberry Road, Mohawk, N.Y. Liabilities \$126,867; assets \$10,500. JOHN F. McALEVEY, 66 Erie Road, Strassburg, N.Y. Liabilities \$126,867; assets \$10,500. MICHAEL J. MARCHESI, 314 Collins Ave., Mount Vernon, N.Y. Liabilities \$14,470; assets none. JAMES J. GATES, 21 E. 64th St., N.Y. Liabilities \$19,977; assets \$10,500. SHEILA J. POWELL, 45 E. 123rd St., N.Y. Liabilities \$19,977; assets \$10,500. LESTER CHARLES GLASS, Cornwall, N.Y. Liabilities \$7,667; assets \$140.



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Above: The Saab EMS. Standard equipment includes new front spoiler, special shock absorbers, low-profile Pirelli steel-belted radial tires, die-cast aluminum alloy wheels, tachometer, and a specially designed interior. Available only in Sterling Silver Metallic or black.

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SAAB THE ROAD CAR.

- TEST DRIVE A SAAB TODAY AT: NEW YORK: Bedford Hills Zeas Subaru Corp. Tel. 241-1150; Brewster Lighthouse Motors Tel. 279-8066; Briarcliff Manor Wallace Scott, Inc. Tel. 941-9660; Brooklyn Mid-County Saab, Div of Mid-County Buick, Inc. Tel. 284-6900; East Setauket Setauket Foreign Motor Sales Tel. 941-4540; Elmont Long Island Jeep, Inc. Tel. 354-0267; Farmingdale Luv Imports, Ltd. Tel. 694-2200; Glen Cove Glen Cove Imported Cars, Inc. Tel. 676-1544; Huntington Coldspring Imports, Inc. Tel. 693-6465; Long Island City L.I.C. Auto Imports, Inc. Tel. 784-8388; New York City Zumbach-Sports Cars, Ltd. Tel. 247-1444; Orangeburg Pizza Auto Sales & Service, Inc. Tel. 359-7777; Staten Island Best-Aire Motors, Inc. Tel. 981-2353; New Jersey: Bergenfield Bergenfield Motors Tel. 385-7738; Denville Reinertsen Motors Tel. 627-0616; Dover Swartz Motors Tel. 366-0224; East Keansburg How-Lou Motors Tel. 787-4555; Englewood Stillman & Hoag, Inc. Tel. 569-3000; New Brunswick Middlesex Foreign Car Sales & Service Tel. 247-8769; West Orange Homung Automotive Sales & Service Tel. 731-7880; Westfield Rotchford Pontiac Tel. 332-3700; Whitehouse Station Whitehouse Imported Motors, Limited Tel. 534-2185; CONNECTICUT: Ansonia Chemery Pontiac Corporation Tel. 734-3441; Fairfield Continental Motors, Inc. Tel. 368-8725; New Canaan Saab of New Canaan, Inc. Tel. 966-5800; Stamford Continental Motors Tel. 327-7110; Westport Chapman Motors, Inc. Tel. 227-7267

Who will see your advertising in the fall Fashions of The Times

"I look in The Times Magazine to see who advertises, what lines are advertised. If I see a garment I've got, I pass it on to other buyers and salespeople. If I see a garment I didn't purchase, I call that vendor and sometimes ask why I didn't see that item. And if I like it well enough, I'll buy that particular line of merchandise." Buyer, Misses Dresses Western U.S.

"Twice a year they devote an issue to Fashions of The Times... I look for the vendor and fashion looks... to see what we can incorporate into our department, to see what style or type fabrics we would want to use." Buyer, Misses Dresses Northeast U.S.

"... it keeps me abreast of what major stores and major manufacturers are doing..." Divisional Merchandise Manager North Central I.

"... it informs me as to what I should do, what I can sell, what I might need in my inventory that perhaps I don't have." Buyer, Junior Dress Northeast U.S.

"Manufacturers' national advertising... the presentation is sort of security... to see it in The New York Times Magazine." Divisional Merchandise Manager Northeast U.S.

Retail executives and buyers all over the U.S. read The New York Times Magazine and its special fashion reports. So do 4,115,000 Times readers. To reach this desirable trade/consumer audience reserve space now for Fashions of The Times, Sunday, August 29. Color closing is Monday, June 21. Call Herbert Shapiro, apparel advertising manager, The New York Times, 229 West 43d Street, New York, N.Y. 10036; (212) 556-1214.

Handwritten signature or mark.

Heuser-Busch Says Earnings Fell 44% During Strike; Other Corporations Also Report Results

From Page 58
The current dividend of \$1.50 a share should be paid by operating profits, he said.

Table of financial results for various companies including BEIS CO., CROWN CENTRAL PETROLEUM, MEDENCO INC., SAFARIAN AUTOMOTIVE CORP., etc.

From Page 59
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From Page 59
The current dividend of \$1.50 a share should be paid by operating profits, he said.

Table of financial results for various companies including BEIS CO., CROWN CENTRAL PETROLEUM, MEDENCO INC., SAFARIAN AUTOMOTIVE CORP., etc.



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Vertical text on the left margin, possibly a page number or index.

Southern Real Estate

Real estate listings under the 'Southern Real Estate' section, including properties in South Carolina, Florida, and other southern states.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', featuring various land parcels in the Westchester area.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', continuing the list of land parcels.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', providing details on various lots.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', detailing land availability.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', listing various acreage options.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', offering diverse land parcels.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', providing information on land sales.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', detailing property features.

Lots & Acreage - Westchester 417

Real estate listings for 'Lots & Acreage - Westchester 417', listing various land parcels.

VACATION - LEISURE HOMES

Real estate listings under the 'VACATION - LEISURE HOMES' section, featuring vacation properties.

Buildings & Factories

Real estate listings for 'Buildings & Factories', including industrial and commercial properties.

Buildings & Factories

Real estate listings for 'Buildings & Factories', detailing various industrial sites.

Buildings & Factories

Real estate listings for 'Buildings & Factories', offering commercial real estate.

Buildings & Factories

Real estate listings for 'Buildings & Factories', listing industrial buildings.

Buildings & Factories

Real estate listings for 'Buildings & Factories', providing details on factory spaces.

Buildings & Factories

Real estate listings for 'Buildings & Factories', detailing commercial properties.

Buildings & Factories

Real estate listings for 'Buildings & Factories', listing various industrial and commercial buildings.

THE BLAU and BERG CO.

Advertisement for 'THE BLAU and BERG CO.', a real estate brokerage, listing services and contact information.

Large advertisement for 'Every month an average of 8,600 ads of farms, lots and acreage in The New York Times Classified Pages', including contact details for The New York Times.

Main body of real estate listings, organized by geographic area and property type, including listings for Manhattan, Westchester, and other regions.



















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What is the most wonderful thing a man can say to a girl? I love you, of course, but I mean when you're not in quite that deep? Well, he can say you're beautiful, sexy, smart...all those compliments are terrific but the one comment that really shatters me - in the nicest way - is to be told that I'm different, that he's never met anybody like me and never expects to! What girl wouldn't respond to that? My favorite magazine says compliments and appreciation are almost as important as being held close - and they think being held close is very important, too. I know they're different. I love that magazine. I guess you could say I'm That COSMOPOLITAN Girl.



Photographed by Francesco

If you want to reach me you'll find me reading  
**COSMOPOLITAN®**

Confused  
Tuesdays

Primary  
Uncertain  
Annation

On India  
Gandhi

Per

Official 56